


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 West Jackson Boulevard
Chicago, Illinois 60604**

DATE: August 26, 2010

SUBJECT: Multimedia Inspection at United Milwaukee Scrap (UMS), LLC.
Milwaukee, Wisconsin

FROM: Noel Vargas 
Water Enforcement and Compliance Assurance Section 1

TO: File

THROUGH: Patrick Kuefler, Chief
Water Enforcement and Compliance Assurance Section 2

Date of Inspection: August 18 - 19, 2010

Attendees:

UMS	Steve Lewinsky, Partner and Vice-President David Arnstein, M.B.A., Manager
U.S. EPA	Noel Vargas, Environmental Engineer, WD Kathy Memmos, Environmental Engineer, OECA Lynne Roberts, Environmental Scientist, OECA Bryan Gangwisch, Environmental Scientist, LCD

Purpose of Inspection: To verify compliance with several environmental regulations, including the Clean Air Act (CAA), Clean Water Act (CWA), Resource Conservation and Recovery Act (RCRA), and the Spill Prevention Control and Countermeasure (SPCC). This inspection was part of the Environmental Justice (EJ) initiative for the Milwaukee area. The Wisconsin Department of Natural Resources (WDNR) did not participate in this inspection.

Company Description and Background:

Plant Locations: 3232 W. Fond du Lac Ave., (Fond du Lac facility)
 (all in Milwaukee) 3027 W. Concordia Ave., (Concordia facility)
 3295 W. Townsend St., (Townsend facility)
 8520 W. Kaul Ave., (Kaul facility)

Phone Number: (414) 444-8059

Primary Contact: Steve Lewinsky, Partner and Vice-President

COMPLIANCE OUTLINE

UMS is a ferrous and non-ferrous scrap metal recycling facility. Formerly known as Start Recycling, UMS is now a result of a merge among other similar facilities. The oldest of these facilities began business back in 1970, and the three companies merged in 2003. The new UMS owns and operates all these facilities, in addition to the Townsend facility (formerly Standard Scrap Metal).

On October 19, 2005, UMS received a letter from the WDNR indicating that *“a portion of the [Townsend] facility drains to a storm sewer rather than the combined sewer system. Your company is classified as an industry that is required to have a stormwater permit issued under Chapter NR216 of the Wisconsin Administrative Code.”* As indicated by this correspondence (See Attachment 1), the Townsend facility was subject to permitting requirements because it was located just outside the combined sewer system (CSS) area in Milwaukee. See Attachment 2 for a copy of a Combined Sewer Area map of Milwaukee.

Based on that determination, UMS joined the Cooperative Compliance Program (CCP), Inc., for scrap recyclers in Wisconsin. The CCP was formed in February 1998 to administer stormwater permit compliance programs for scrap recyclers. Over the past two decades, the WDNR and the Wisconsin Institute of Scrap Recycling Industries (WISRI) have worked together to develop sound environmental practices for the scrap recycling industry. In the mid 1990s, the WDNR and the WISRI agreed to develop an industry-specific permit for stormwater discharges from scrap recyclers, including implementation of a stormwater pollution prevention plan (SWPPP). The resulting permit would require scrap recyclers in Wisconsin to either commit to participating in a CCP, or to manage their permit compliance as an individual facility. The CCP Board of Directors requires that each member comply with the stormwater permit. Stormtech, Inc., the CCP consultant, provides technical assistance, conducts annual training sessions, and monitors the compliance of the members by conducting compliance audits. Copies of the annual compliance reports are submitted to the WDNR.

Our records only showed a general permit issued to all Recycling of Scrap & Waste Materials in Industrial Activity (Permit number WIS058831-1), that expired in October 21, 2002. The permit listed requirements for industrial discharges, including the implementation of a SWPPP (See Attachment 3). An October 2006 letter from the WDNR to UMS indicates that the Townsend facility is the one covered by the permit (See Attachment 4).

ARRIVAL AND OPENING CONFERENCE

This inspection was unannounced. The multimedia enforcement team arrived to the Fond du Lac facility at 8:45 am (except Ms. Memmos who was doing a reconnaissance inspection at the Townsend facility). Ms. Memmos arrived shortly after. Credentials were presented to Mr. David Arnstein and business cards were exchanged. Ms. Roberts, the lead inspector, initiated the opening conference.

During the initial interview with Mr. Arnstein, it was evident that the Fond du Lac facility houses most of the administrative affairs for all the UMS facilities. However, other records and documents such as the SWPPP were located at the Townsend facility. The Fond du Lac facility receives all types of ferrous and non-ferrous wastes (steel scrap, refrigerators, stoves, bicycles, salvaged cars, aluminum cans, and other metals). During the inspection, it was evident that anyone is welcome to bring any type of scrap material to this facility (from one can to bags of aluminum cans). This facility employs 14 people, including the administrative staff, and operates from 7:00 am to 4:00 pm. Sometimes, depending of specific situations, the hours of operations can be extended. For instance, during the storm events that occurred in Milwaukee a few weeks ago, many people were bringing to this facility damaged appliances that were in contact with contaminated stormwater and sewage. Large appliances, as they are brought in, are stored on piles in the yard (junk pile) located just north of the main entrance. Other metals such as aluminum cans are stored, and crushed in the adjacent building. Old salvaged cars are decommissioned at the building located north west of the main building. Other materials are processed in the "Campo" building, located at the opposite end of the junk pile. The recovered metal scrap from this and the other facilities are taken to the Townsend facility, where it is shredded. The shredder was put in place about 6 years ago. According to Mr. Lewinsky, the air control equipments (cyclone and baghouse) came with the shredder, but never used. The other two plants, the Concordia and the Kaul, both receive the same type of materials. However, the Concordia facility receives mostly the industrial type of metal scrap, while the Kaul facility is more for smaller scrap and electrical parts. UMS personnel also indicated that the Kaul facility is located within the CSS area in Milwaukee.

PROCESS DESCRIPTION AND OBSERVATIONS

1. The Fond du Lac facility

Both Mr. Arnstein and Mr. Lewinsky accompanied the EPA inspectors throughout the inspection. No floor drains or manholes were visible nearby the junk pile, nor inside the building where aluminum cans and other scrap metals are sorted out. The north part of the building showed signs of wet weather, which might have carried oil waste and sediments from runoff. The EPA inspectors proceeded to a large unpaved area, where many salvaged cars were stored. Most of these cars have been already decommissioned, or stored for decommission. It was evident, as shown in Pictures 1 – 4, that spent oil has leaked from a few of the salvaged cars. A 2,000-gallon tank (split 1,000 diesel fuel and 1,000 gasoline) was located just south of this area. The tank did not have any secondary containment (Picture 5). An old spent oil tank was located next to the diesel tank, which according to UMS personnel is “no longer in service.” The building next to this yard houses three car racks where they are decommissioned. One of the two floor drains in this building lies underneath rack number 2. Oily water was evident in this drain (Pictures 6 – 7). The other floor drain was located nearby rack number 3. Oily residues were evident here as well (Picture 8). Most of the oil spills and leaks are “treated” with “dry-oil”, an adsorbent that it is then disposed of as non-hazardous waste. Old mercury switches are also removed and handled in this building.

Right outside this building, a scale is located near the truck entrance at Fond du Lac Avenue. An aperture on the scale showed residues of wastewater contaminated with oil (Picture 9). A hose was placed from this aperture towards the street (Pictures 10). A few feet from this entrance, a stormwater sewer inlet is located (Picture 11). As evidenced by Picture 12, contaminated stormwater runoff have been discharged in the past, reaching this combined sewer inlet. The last part of the tour was the “Campo” building, located opposite to the junk pile. This building handles other types of metal scrap. At the entrance, it was evident that stormwater inlets were clogged with debris (Picture 13). A ponding area was evident nearby the entrance (Picture 14). Another ponding area was noticed nearby, which contained oil residues (Picture 15). No floor drains were visible in this building.

2. The Concordia facility

The EPA team visited the Concordia facility right after lunch. This one received most of the industrial metal scrap. All types of physical processes take place here (bailing, crushing, shearing, and sorting). In addition, power washing of equipments and trucks also takes place here. At the washing area, an “oil-water separator” was visible by the east entrance (Picture 16). According to UMS, the City of Milwaukee comes twice a week to sample the wastewater collected. However, the UMS does not keep records of these sampling events. According to the UMS, only when “there is a problem”, the City notifies UMS. In any event, wastewater from this power washing operation can potentially reach the CSS via a catch basin inlet west of it, and via a sewer inlet east of it (Pictures 17 - 18). As the inspectors were walking through the facility,

it was evident that all the combined sewer inlets were either clogged or very poorly maintained (Pictures 19 - 21). As documented by the pictures, the poorly maintained inlets indicate the continuous influx of chemicals, solid wastes, rocks, and other sediments into the CSS.

3. The Townsend facility

The next tour was to the Townsend facility. This one is just "around the corner" from the Concordia facility. Storing and shredding of the metal scrap takes place here. The initial process consists of sorting out the metal scrap, and then conveying of it through the shredder. According to Mr. Lewinsky, the use of the attached air pollution control equipment (cyclone and baghouse) was unnecessary. Instead, UMS controls dust fugitives and particulates by applying water spray to it. It was apparent that application of the water spray resulted in steam emission (Picture 22). However, the EPA could not precise whether all the water spray is evaporated or any residual fluids might result from here. Ponding water was evident nearby some of the junk piles (Pictures 23 - 24). While at this facility, I partially reviewed the SWPPP, and requested copies. Mr. Lewinsky would provide me with the copies the next day.

4. The Kaul facility

The Kaul facility is located about 6 miles northwest of the other UMS facilities. First of all, it seems that UMS was unaware of an intermittent stream running from outside the property (See Attachment 5). This intermittent stream (presumably named Beaver Creek), runs north of this facility (See Pictures 25 - 27). This stream connects with another nearby stream, which is tributary to the Menomonee River. Some ponding water was visible in certain areas of this site; a strong gasoline smell was evident nearby the north fence (Picture 28); a 500-gallon diesel fuel tank located nearby the entrance did not have secondary containment (Picture 29); and a stormwater inlet at the entrance looked very poorly maintained (Picture 30). No outfalls from this site to the intermittent stream were visible.

CLOSING CONFERENCE

The next day, the EPA inspectors and UMS representatives (Mr. Arnstein and Mr. Lewinsky) met at the Concordia facility to discuss the observations. Mr. Lewinsky provided me with the SWPPP copies. Due to the fact the UMS personnel needed to leave for a mandatory meeting at 11:00 am, the EPA inspectors only have limited time to review documents and for discussions.

As far as the CWA portion, I provided positive remarks regarding the available SWPPP. The CCP put together a good plan for the Townsend facility. My only remark was regarding the base map (Section 4 of the SWPPP). It did not contain some of the information listed (items 3, 6 - 9, See Attachment 6). I also mentioned the issues associated with poor housekeeping and runoff problems at the other facilities, supposedly, not requiring a stormwater permit. Lastly, I

mentioned the issue about why Townsend facility had a stormwater permit, and not the Concordia facility, which was just around the corner. This particular issue would require additional research from my part, regarding the CSS boundaries in Milwaukee and to where these UMS facilities really discharge their wastewaters.

AREAS OF CONCERN AND POTENTIAL VIOLATIONS

On August 20, 2010, I contacted the WDNR office in Milwaukee to follow up on my research. I wanted to consult with Mr. Theodore Bosch, Waste Water Engineer, regarding his determination that the Townsend facility required a stormwater permit. I was told that Mr. Bosch retired. On August 23, 2010, I contacted the Milwaukee Metropolitan Sewerage District (MMSD) to seek clarification as to where exactly the UMS facilities are located, in reference to the CSS boundary area. MMSD replied, indicating that *"the 8520 West Kaul Avenue is in the separate sewer system – the other 3 are in the combined sewer area."* The MMSD response also indicated that prior to the actual Townsend facility, a centralized waste treater used to be at that location and an industrial permit was issued. The facility name was the Great Lakes Recovery Systems. See Attachment 7 for a copy of this response. Based on this finding and observations from the inspection:

1. UMS has not applied for a permit for stormwater discharges from the Kaul facility, as required by 40 CFR Part 122. The Kaul facility is located within the separate sewer system in Milwaukee (way outside the CSS area).
2. The Kaul facility has not submitted or implemented a SWPPP.
3. Good housekeeping techniques have not been implemented at the Kaul facility.
4. A diesel fuel tank at the Kaul facility, very proximate to a stormwater inlet, is not protected with secondary containment.
5. The Kaul facility might require a SPCC plan because of its proximity to an intermittent stream (Beaver Creek), as required by 40 CFR Part 112.
6. Although a stormwater permit with a SWPPP was "technically" not required for the Townsend facility, information provided by the SWPPP indicates that residual fluids might form at the shredder. Such residual fluids might discharge through the building drain that leads to the "outfall" located north of the warehouse. Residual fluids might be considered "process wastewater" that would require an industrial user (IU) permit. 40 CFR Part 403.
7. As required by 40 CFR Part 112, the Fond du Lac facility might require a SPCC plan because it houses a 2,000-gallon diesel/gasoline tank. The tank is located only a few yards from the truck entrance, where a combined sewer inlet is located.

Inspection Photographs (all taken by Noel Vargas)



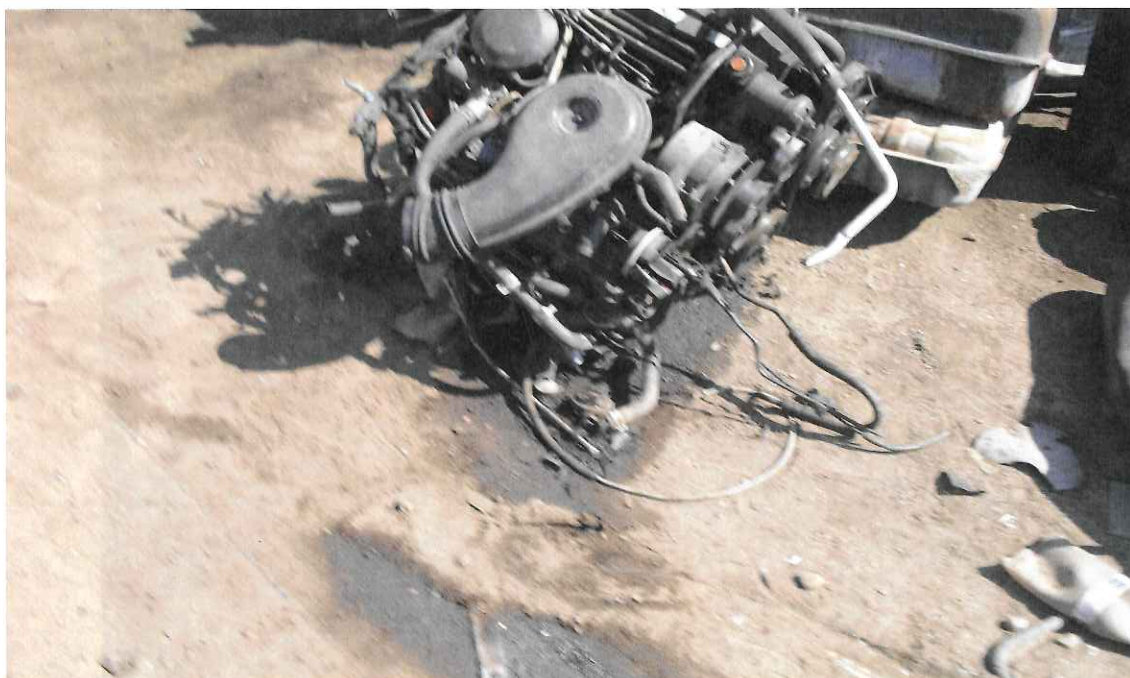
Picture 1: Oil spill from salvaged car, Fond du Lac facility, taken 8/18/2010



Picture 2: Oil spill from salvaged car, Fond du Lac facility, taken 8/18/2010



Picture 3: Oil spill from salvaged car, Fond du Lac facility, taken 8/18/2010



Picture 4: Oil leak from salvaged car engine, Fond du Lac facility, taken 8/18/2010



Picture 5: 2,000-gallon tank, Fond du Lac facility, taken 8/18/2010



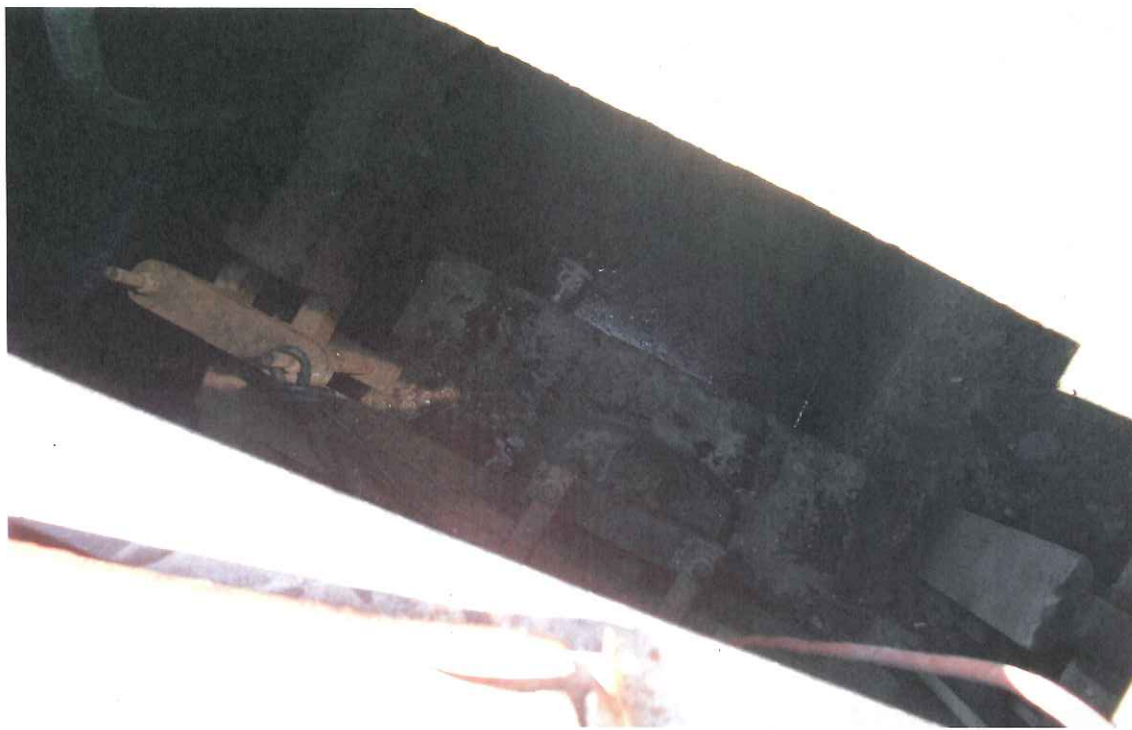
Picture 6: Floor drain under car rack no. 2, Fond du Lac facility, taken 8/18/2010



Picture 7: Open floor drain under car rack no. 2, Fond du Lac facility, taken 8/18/2010



Picture 8: Open floor drain nearby rack no. 3, Fond du Lac facility, taken 8/18/2010



Picture 9: Scale at Fond du Lac facility, taken 8/18/2010



Picture 10: Hose directing wastewater from scale to Fond du Lac Ave. (Fond du Lac facility, taken 8/18/2010)



Picture 11: Combined sewer inlet at Fond du Lac Ave, in front of Fond du Lac facility, taken 8/19/2010



Picture 12: Truck entrance at Fond du Lac facility, taken 8/19/2010



Picture 13: Stormwater inlets at “Campo” building, clogged with debris.
Fond du lac facility, taken 8/18/2010



Picture 14: Ponding of wastewater near “Campo” building entrance, Fond du lac facility,
taken 8/18/2010



Picture 15: Oily water ponded inside “Campo” building, Fond du lac facility, taken 8/18/2010



Picture 16: Oil-water separator in washing area at Concordia facility, taken 8/18/2010



Picture 17: Equipment power-wash area at Concordia facility, taken 8/18/2010 (arrow indicates location of catch basin inlet).



Picture 18: Combined sewer inlet by washing area entrance; Concordia facility, taken 8/18/2010



Picture 19: Combined sewer inlet at Concordia facility, taken 8/18/2010



Picture 20: Combined sewer inlet at Concordia facility, taken 8/18/2010



Picture 21: Combined sewer inlet at Concordia facility, taken 8/18/2010



Picture 22: Shredder at Townsend facility, taken 8/19/2010



Picture 23: Rain water ponded nearby metal pile at Townsend facility, taken 8/18/2010



Picture 24: More rain water ponded nearby junk pile at Townsend facility, taken 8/18/2010



Picture 25: Intermittent stream (Beaver Creek) that runs from behind Kaul facility, taken 8/18/2010



Picture 26: Intermittent stream as it runs below W. Lynx Ave (behind Kaul facility), taken 8/18/2010



Picture 27: Corner of N. Joyce Ave. and W. Lynx Ave., behind Kaul facility, where north end of intermittent stream is located, taken 8/18/2010



Picture 28: Salvaged fuel storage tanks by the north fence, Kaul facility, taken 8/18/2010



Picture 29: 500-gallon diesel tank at Kaul facility, taken 8/18/2010

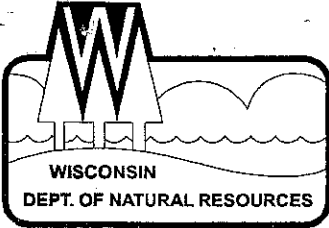


Picture 30: Stormwater inlet at Kaul facility entrance, taken 8/18/2010

List of Attachments

1. **October 19, 2005 letter from the WDNR to UMS (formerly Standard Scrap Metal).**
2. **Combined Sewer Area map of Milwaukee (obtained from the MMSD website).**
3. **General stormwater permit.**
4. **October 12, 2006 letter from the WDNR to UMS confirming permit coverage.**
5. **Aerial photographs of UMS facilities (provided by Joan Rogers).**
6. **Portions of the Townsend facility SWPPP.**
7. **E-mail response from MMSD to Noel Vargas**

Attachment 1



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, Regional Director

Southeast Region
Milwaukee Service Center
2300 N. Dr. ML King Drive
Milwaukee, Wisconsin 53212
Telephone 414-263-8500
FAX 414-263-8716
TDD 414-263-8713

October 19, 2005

file ref: 263-8623

Steve Lewinsky
Standard Scrap Metal
3295 W Townsend St
Milwaukee, WI 53216

Subject: Notice of Noncompliance with Storm Water Permit Requirements

Dear Mr. Lewinsky:

I visited your facility along Townsend St. this summer and determined a portion of the facility drains to a storm sewer rather than the combined sewer system. Your company is classified as an industry that is required to have a stormwater permit issued under Chapter NR216 of the Wisconsin Administrative Code.

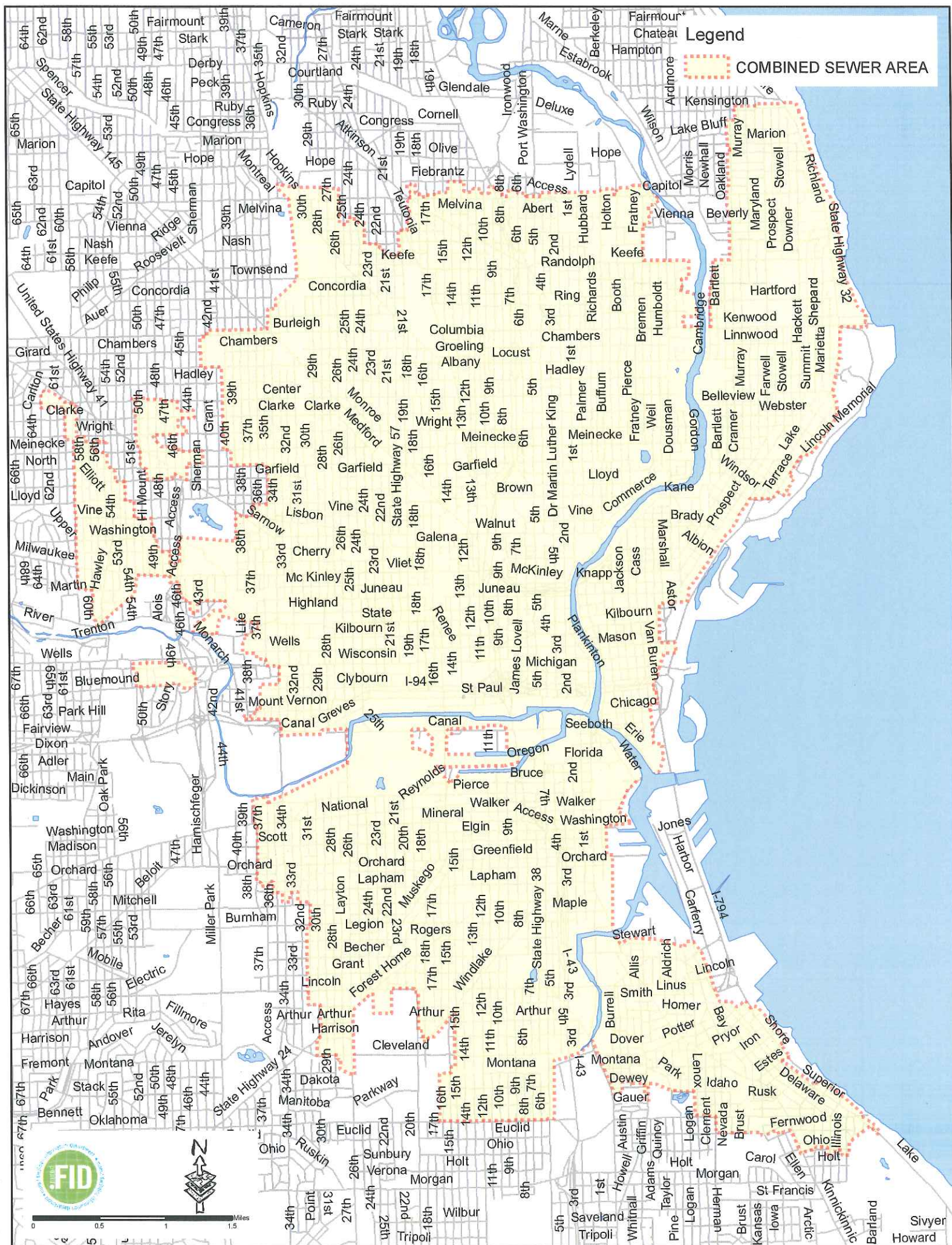
I left a storm water permit Notice Of Intent but have not received a completed notice of intent. Please return the completed Notice of Intent to me within 14 days. If you have any questions please feel free to contact me at the above address, by phone at (414) 263-8623 or by E-mail at Boscht@dnr.state.wi.us.

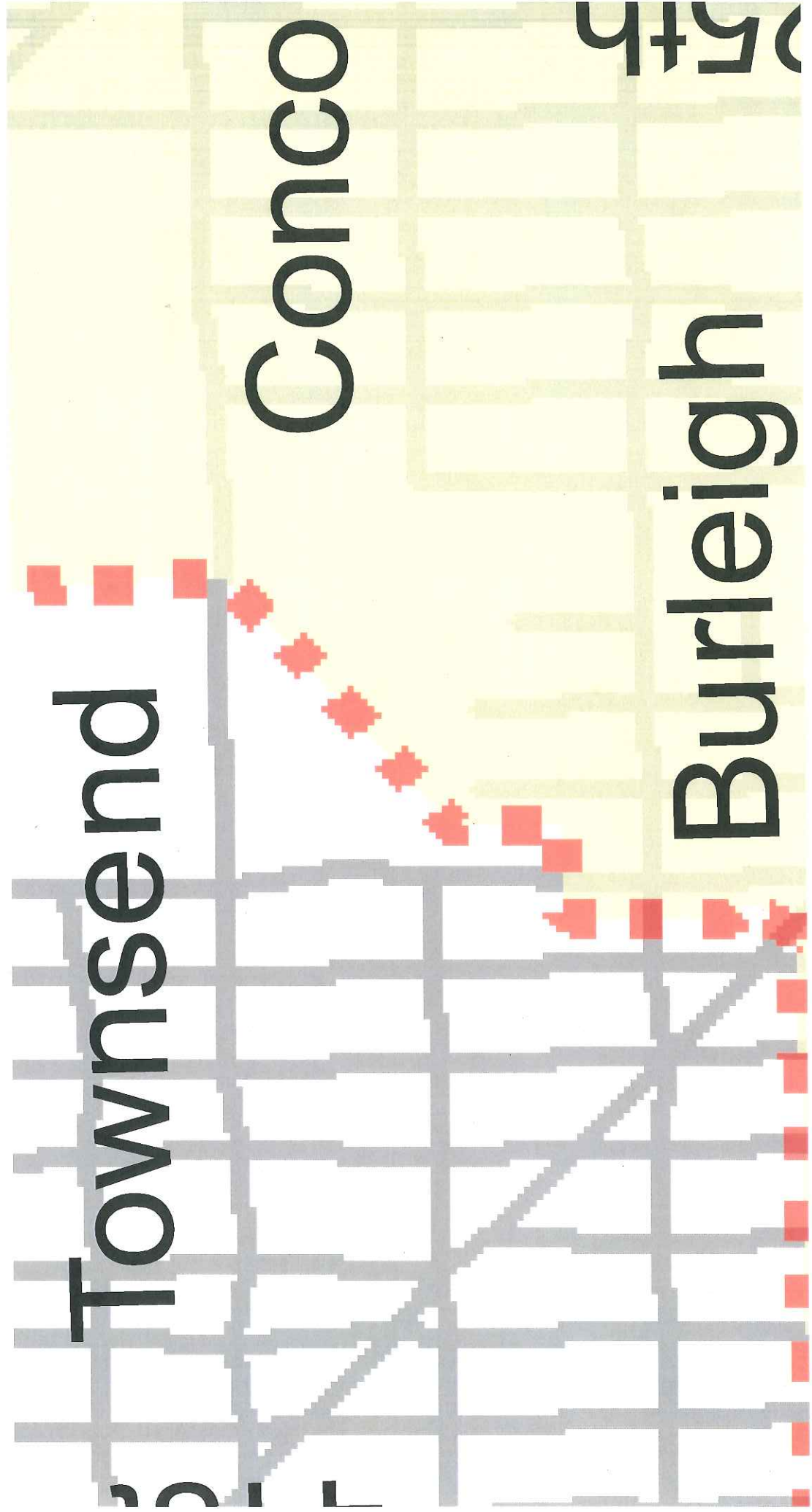
Sincerely

Theodore Bosch
Waste Water Engineer

Enc: Notice of Intent

Attachment 2





Attachment 3

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
PUBLIC NOTICE OF INTENT TO ISSUE A WISCONSIN POLLUTANT DISCHARGE ELIMINATION
SYSTEM (WPDES) GENERAL PERMIT

Permit Number: WI-S058831-1

Proposed Expiration Date: October 31, 2002

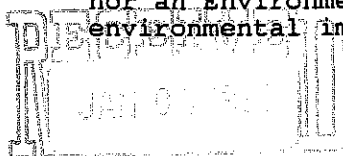
Nature of Discharges Covered by the Permit: Storm Water Discharges Associated With Recycling of Scrap and Waste Materials - This permit will apply to facilities where the primary income-producing activity is classified by the 1987 edition of the Standard Industrial Classification Manual as SIC code 5093 - Scrap and Waste Materials. This classification is for facilities engaged in assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials. This classification includes auto wreckers engaged in dismantling automobiles for scrap. However, those facilities primarily engaged in dismantling automobiles for the purpose of selling secondhand parts are classified separately in SIC 5015 and are required to be included in the Tier 1 storm water discharge general permit WI-S067849-1. Facilities that are not in SIC code 5093 but have bulk storage piles for scrap may petition the Department against coverage under the Tier 1 WPDES Storm Water Discharge Permit No. WI-S067849-1 and in favor of coverage under this permit.

Dischargers will automatically be considered for coverage if the requisite application information has been submitted to the Department on DNR Form 3400-163 or if the discharger is included under a Group Storm Water Permit Application prepared in accordance with 40 CFR Part 122.26 and approved by the US EPA. Additional persons seeking coverage under this permit should send a written request with their initial application. Coverage becomes effective upon receipt by the discharger of a copy of the industry specific general permit and a cover letter from the Department specifying that the Department has determined coverage under the permit is appropriate. The Department will cover eligible dischargers in a phased manner consistent with available staffing levels. In cases when the Department determines that it already has adequate regulation of storm water discharges in effect through other mechanisms, it will not apply this permit.

Ch. NR 216, Wis. Adm. Code, defines the conditions under which storm water associated with industrial activity can be discharged so that waters of the state will be protected. Four other general permits (WI-S067831-1 [Construction Site], WI-S067849-1 [Tier 1], WI-S067857-1 [Tier 2], and WI-S049158-1 [Tier 3]) currently provide permit coverage for all classes of storm water contaminated by industrial activity, including construction sites 5 acres or larger in size, as required under Ch. NR 216 Wis. Adm. Code. This industry-specific storm water general permit customizes the permit requirements contained in ch. NR 216, Wis. Adm. Code, to characteristics common to the scrap recycling industry. This industry-specific general permit has the same basic elements of pollution prevention planning, monitoring, and compliance reporting as the state-wide tier one general permit.

Waters of the state include all surface waters, groundwaters, and wetlands. Storm water discharges to private or public separate storm sewers leading to waters of the state are also covered. Storm water discharges to sanitary sewers, including combined sanitary/storm sewer systems, will not be covered under this WPDES permit. This permit will be used to cover industrial storm water discharges from any private, state or federal site or facility, except for those located on federal tribal lands. Separate permits will be developed and issued by the United States Environmental Protection Agency for sites located on federal tribal lands.

Environmental Assessment: Section 1.11 Wis. Stats. and Ch. NR 150 Wis. Adm. Code requires that the Department assess the need for an Environmental Impact Statement prior to issuing WPDES permits. Neither an Environmental Assessment nor an Environmental Impact Statement has been prepared. The probable environmental impacts of this permit are towards the greater protection of the



PERMIT SECTION
FPA REGION V

waters of the state. No adverse impacts to the environment are expected. This proposed industry-specific general permit contains conditions intended to prevent the contamination of storm water. Storm water discharges leading to an exceedence of groundwater, surface water, or wetland standards set forth in chs. NR 140, 182, 102, 103, 104, and 105 Wisconsin Administrative Code will not be authorized by this permit.

Public Comment Period: Persons wishing to comment on or object to this proposed permit or environmental assessment are invited to do so by sending written comments to the Storm Water Permit Comments, Department of Natural Resources, Runoff Management Practices Section, 101 S. Webster Street, P.O. Box 7921, Madison, WI 53707-7921. All comments or suggestions received from members of the public and interested government agencies no later than 30 days from the date of issue of this public notice will be used along with other information on file in making a final decision regarding the permit.

A public informational hearing may be held if response to this notice indicates significant public interest pursuant to s. 283.49 Wis. Stats. or if a petition requesting a hearing is received from 5 or more persons. Requests for a public informational hearing should state the following: the name and address of the person(s) requesting the hearing; the interest in the proposed permit of the person(s) requesting the hearing; the reasons for the request; and the issues proposed to be considered at the hearing.

Information on file for this permit may be inspected and copied at the address above or at the Regional offices listed below, Monday through Friday (except holidays), between 9:00 a.m. and 3:30 p.m. Information on this permit may also be obtained by calling Gordon Stevenson - Technical Support Unit Supervisor - Runoff Management Practices Section at 608-267-9306, or by submitting a written request to the Department. Reasonable costs will be charged for copies of information in the file other than the public notice, and applicable fact sheets. This information is also available for downloading from the internet using a world wide web browser at: <http://www.dnr.state.wi.us/org/water/wm/ww>. Pursuant to the Americans with Disabilities Act, reasonable accommodation, including the provision of informational material in an alternative format, will be made to qualified individuals upon request.

South Central Region, 3911 Fish Hatchery Road, Fitchburg, WI 53711

Southeast Region, 2300 N. Dr. Martin Luther King, Jr. Drive, P.O. Box 12436, Milwaukee, WI 53212

Northeast Region, 1125 N. Military Avenue, P.O. Box 10448, Green Bay, WI 54307-0448

West Central Region, 1300 W. Clairemont Avenue, P.O. Box 4001, Eau Claire, WI 54702-4001

Northern Region, 810 W Maple St, Spooner, WI 54801 or 107 Sutliff Avenue, Rhinelander, WI 54501

Date Notice Issued: January 8, 1998

Publishing Newspapers: (By county)

Dailies

(Ashland) The Daily Press, 122 W. Third, PO Box 313, Ashland 54806
 (Brown) Green Bay Press Gazette, PO Box 19430, Green Bay 54307-9430
 (Chippewa) Chippewa Herald Telegram, PO Box 69, Chippewa Falls 54729
 (Columbia) Portage Daily Register, PO Box 470, Portage 53901
 (Dane) Wisconsin State Journal, PO Box 8056, Madison 53708
 (Dodge) Daily Citizen, PO Box 558, Beaver Dam, WI 53916
 (Douglas) Superior Evening Telegram, 1226 Ogden Ave, Superior 54880
 (Eau Claire) Leader Telegram, PO Box 570, Eau Claire 54701
 (Fond du Lac) Fond du Lac Reporter, PO Box 630, Fond du Lac 54936
 (Green) Monroe Evening Times, PO Box 230, Monroe 53566
 (Jefferson) Daily Jefferson County Union, PO Box 801, Ft. Atkinson 53538
 (Kenosha) Kenosha News, PO Box 190, Kenosha 53141-0190
 (La Crosse) La Crosse Tribune, 401 N Third St, La Crosse 54601
 (Langlade) Antigo Daily Journal, 612 Superior St, Antigo 54409
 (Manitowoc) Herald Times Reporter, PO Box 688, Manitowoc 54220
 (Marathon) Daily Herald, PO Box 1286, Wausau 54401
 (Marinette) Marinette Eagle Herald, 1809 Dunlap, PO Box 77, Marinette 54143
 (Milwaukee) Milwaukee Journal Sentinel, PO Box 661, Milwaukee 53201
 (Oneida) Rhinelander Daily News, PO Box 778, Rhinelander 54501
 (Outagamie) Post Crescent, PO Box 59, Appleton 54912
 (Portage) Stevens Point Journal, PO Box 7, Stevens Point 54481
 (Racine) Journal Times, 212 Fourth St, Racine 53403
 (Rock) Janesville Gazette, PO Box 5001, Janesville 53545-5001
 (Sauk) Baraboo News Republic, PO Box 9, Baraboo 53913
 (Shawano) Shawano Evening Leader, PO Box 416, Shawano 54166
 (Sheboygan) Sheboygan Press, PO Box 358, Sheboygan 53081
 (Washington) West Bend Daily News, PO Box 478, West Bend 53095
 (Waukesha) Waukesha Freeman, 801 N. Barstow St., PO Box 7, Waukesha 53187-0007
 (Winnebago) Oshkosh Northwestern, PO Box 2926, Oshkosh 54901
 (Wood) WI Rapids Daily Tribune, 220 1st Ave S, WI Rapids 54494-8090

Tuesday

(Door) Door County Advocate, PO Box 130, Sturgeon Bay 54235-0130
 (Lincoln) Tomahawk Leader, PO Box 345, Tomahawk 54487-0345
 (Polk) Amery Free Press, PO Box 338, Amery 54001

Wednesday

(Adams) Adams County Times, PO Box 99, Adams 53910
 (Barron) Barron County News Shield, PO Box 100, Barron 54812
 (Burnett) Burnett County Sentinel, PO Box 397, Grantsburg, 54840-0397
 (Clark) Clark County Press, PO Box 149, Neillsville 54456
 (Crawford) Courier Press, PO Box 149, Prairie du Chien 53821
 (Dunn) Dunn County News, PO Box 40, Menomonie 54751
 (Florence) Florence Mining News, PO Box 79, Florence 54121
 (Oconto) Oconto County Reporter, PO Box 200, Oconto 54153
 (Pierce) Pierce County Herald, PO Box 300, Ellsworth 54011-0300
 (Sawyer) Sawyer County Record, PO Box 191, Hayward 54843
 (Taylor) Star News, PO Box 180, Medford 54451
 (Vilas) Vilas County News Review & Three Lakes News, PO Box 1929, Eagle River 54521
 (Waushara) Waushara Argus, PO Box 838, Wautoma 54982-0838

Thursday

(Bayfield) County Journal, PO Box 637, Washburn 54891-0637
 (Buffalo) Buffalo County Journal, PO Box 40, Cochrane 54622-0040
 (Calumet) Chilton Times Journal, 19 E. Main St., PO Box 227, Chilton 53014
 (Dodge) Dodge Co. Independent News, PO Box 167, Juneau 53039
 (Forest) Forest Republican, PO Box 367, Crandon 54520
 (Grant) Grant Co. Herald Independent, PO Box 310, Lancaster 53813-0310
 (Green Lake) Green Lake County Reporter, PO Box 10, Berlin 54923
 (Iowa) Dodgeville Chronical, PO Box 96, Dodgeville 53533-0096
 (Iron) Iron County Miner, PO Box 8, Hurley 54534

(Jackson) Banner Journal, 409 E. Main St., Black River Falls 54615
(Juneau) Juneau Co. Star Times, PO Box 220, Mauston 53948-0220
(Kewaunee) Kewaunee Enterprise, PO Box 68, Algoma 54201
(La Fayette) Darlington Republican Journal, 316 W. Main St., PO Box 20,
Darlington 53530-0020
(Marquette) Marquette County Tribune, PO Box 188, Montello 53949
(Monroe) Monroe Co. Democrat, PO Box 252, Sparta 54656-0252
(Ozaukee) Ozaukee Press, PO Box 248, Port Washington 53074
(Pepin) Courier Wedge, 103 W. Main St., PO Box 190, Durand 54736-0190
(Price) The Bee, PO Box 170, Phillips 54555
(Richland) Richland Observer, PO Box 31, Richland Center 53581
(Rusk) Ladysmith News, PO Box 189, Ladysmith 54848-0189
(St. Croix) Hudson Star Observer, PO Box 147, Hudson 54016-0147
(Trempealeau) Whitehall Times, PO Box 95, Whitehall 54773-0095
(Vernon) Vernon Co. Broadcaster Censor, PO Box 472, Viroqua 54665-0472
(Walworth) Elkhorn Independent, PO Box 211, Elkhorn, WI 53121
(Washburn) Washburn County Register, PO Box 455, Shell Lake 54871
(Waupaca) Waupaca County Post, PO Box 152, Waupaca, WI 54981-0152

**RECYCLING OF SCRAP AND WASTE MATERIALS
STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY**

Briefing Memo

INDUSTRY-SPECIFIC GENERAL PERMIT COVERAGE

Industry-specific storm water general permits customize the permit requirements contained in ch. NR 216, Wis. Adm. Code, to characteristics common to an industry. Ch. NR 216, Wis. Adm. Code, defines the conditions under which storm water associated with industrial activity can be discharged so that waters of the state (including surface waters, ground water, and wetlands) will be protected. This industry-specific general permit has the same basic elements of pollution prevention planning, monitoring, and compliance reporting as the state-wide tier one general permit. This industry-specific general permit, however, is distinguished by providing a dual track towards achieving the same goal of eliminating, to the maximum extent practicable, the discharge of pollutants carried by storm water runoff. An appendix is presented as a comparison for those who are familiar with the tier one requirements.

The Wisconsin Department of Natural Resources has assumed authority to administer the U.S. Environmental Protection Agency's NPDES program that requires storm water discharge permits for industrial facilities. Scrap recycling and salvage yard facilities are among the tier one category of facilities required to apply for storm water discharge permit coverage (s. NR 216.21(2)(a)(2), Wis. Adm. Code). Most of the other industries in the tier one category that applied for a permit were granted coverage on December 12, 1994 under the general Tier 1 WPDES Storm Water Discharge Permit No. WI-S067849-1.

The Wisconsin Institute of Scrap Recycling Industries (WISRI) met with the Department concerning development of an industry-specific storm water discharge permit for facilities with Standard Industrial Code (SIC) 5093 - Scrap and Waste Materials. The workgroup had five meetings from August 9, 1995 to January 16, 1996. WISRI developed a first draft vision for industrial compliance with the storm water program requirements on January 10, 1996. The Department provided comments on this first draft on January 26, 1996. WISRI responded with a second draft vision on February 14, 1996. This permit was written using the products and concepts of the WISRI/WDNR workgroup and the rules in ch. NR 216, Wis. Adm. Code.

GENERAL DESCRIPTION OF DISCHARGES COVERED UNDER THIS PERMIT

This permit is applicable to point source discharges of storm water that has come into contact with material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by products, or industrial machinery. The discharges can be either direct or via a separate storm sewer system, to waters of the state (including surface waters, wetlands, groundwater, and municipal and private separate storm sewers) provided that the discharge is in accordance with the conditions set forth in this permit.

Dischargers will automatically be considered for coverage if the required application information has been submitted to the Department on DNR Form 3400-163 Notice of Intent or if the discharger is included under a Group Storm Water Permit Application prepared in accordance with 40 CFR Part 122.26 and approved by the US EPA. Additional persons seeking coverage under this permit should send a written request with their initial application. Coverage becomes effective upon receipt by the discharger of a copy of the industry specific general permit and a cover letter from the Department specifying that the Department has determined coverage under the permit is appropriate. Since this permit covers storm water, a facility may need to be covered under another wastewater general permit if there are different types of wastewater streams that a facility discharges.

DUAL TRACK PERMIT REQUIREMENTS

The current Tier 1 permit requires that each permittee manage their own compliance by developing a storm water pollution prevention plan and performing monitoring including chemical sampling of storm water. This industry-specific permit, on the other hand, provides a choice or a dual track of requirements to follow. There is a Plan A for those that make a commitment to working in a privatized cooperative compliance program and a Plan B for those who will choose to manage their own compliance. All permittees will need to control specific sources of pollution identified in the permit, implement best management practices, and practice pollution prevention. Facilities will not be required to perform storm water sampling if they choose Plan A and commit to a program sponsored by a group that has an agreement with the Department to provide annual training, pollution prevention plan certification and annual auditing and review. Plan B permittees will be required to perform storm water sampling for specific constituents identified in the permit as a means to evaluate the effectiveness of best management practices.

The Plan A requirements are all of permit Parts A, B, C, (but not D) and E. The Plan B requirements are all of permit Parts A, B, (but not C) D, and E.

RATIONALE FOR PERMIT REQUIREMENTS

A. APPLICABILITY CRITERIA

(1) Facilities Covered

Scrap recycling and salvage yard facilities and facilities with bulk storage piles for scrap are among the tier one category of facilities required to apply for storm water discharge permit coverage (s. NR 216.21(2)(a)(2), Wis. Adm. Code). Storm water discharged from these types of facilities typically has been in contact with industrial activities such as material stockpiling, dismantling, and processing. Pollutants that are likely contained in storm water runoff from these facilities are a concern for the Department when protecting the quality of the waters of the state.

(2) Discharges Not Covered

Non-storm water discharges to storm sewer systems can result in significant contamination of surface or groundwaters. This permit only authorizes the discharge of storm water associated with industrial activity. It does not authorize the discharge of other wastewaters, such as cooling water, non-contact cooling water, other process wastewater, domestic sewage, spills, or leaks. Some of these discharges (such as process wastewaters and cooling waters) can be authorized through another general or individual WPDES permit. These other permits will specify different conditions appropriate for the discharge so that surface and groundwater quality is protected. The Department of Natural Resources Bureau of Watershed Management should be contacted if these discharges occur to determine what type of permit coverage is needed.

Remedial action discharges or discharges authorized by a general permit for discharging contaminated or uncontaminated groundwater are not covered. These should be covered by other permits that will specify different conditions appropriate for the discharge so that surface and groundwater quality is protected.

Discharges of hazardous substances that are required to be reported under ch. NR 706, Wis. Adm. Code. The discharge of hazardous substances or oil in the storm water discharges from a facility shall be prevented or minimized in accordance with the Storm Water Pollution Prevention Plan (SWPPP). This permit does not relieve the permittee from the reporting requirements referred to under the Standard Conditions Part E.(18) Spill Reporting.

Segregated areas such as office buildings and associated parking lots are not considered an industrial activity and, consequently, are not covered under the storm water general permit provided the storm water discharged from these areas is kept separate from the storm water discharged from industrial activities. A facility's non-industrial areas receiving significant atmospheric deposition of contaminants from the facility's operation, will be covered under the storm water permit.

Coverage under an individual permit may be determined by the Department as more appropriate where: (1) The storm water discharge is a significant source of pollution; (2) The facility is not in compliance with the terms and conditions of this permit or Ch. NR 216, Wis. Adm. Code; or (3) Effluent limitations or standards are promulgated for a storm water discharge covered by this permit.

B. REQUIREMENTS FOR ALL DISCHARGES

(1) Storm Water Pollution Prevention Plan (SWPPP)

All persons owning or operating facilities covered under this permit (permittees) must prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). Development and implementation of a SWPPP is the cornerstone of the federal and state storm water management program, and is a federally required component of all state storm water permits, as well as a requirement of all tier 1 and 2 category facilities under ch. NR 216, Wis. Adm. Code. The planning requirements identified by US EPA and included into ch. NR 216, Wis. Adm. Code, are considered by the Department to be best available technology (BAT) and best conventional pollution control technology (BCT) for storm water for purposes of this permit. Further details about how to prepare a SWPPP can be found in the guidance publication Industrial Storm Water Pollution Prevention Planning (WDNR, Sept. 1994) available from the Department of Administration, Document Sales; telephone 1-800-362-7253; stock no. 1723.

This permit incorporates all of the major components required under s. NR 216.27, Wis. Adm. Code, for a SWPPP. This permit incorporates numerous detailed requirements in order to assure greater consistency and quality of these plans.

(1)(d) Potential Sources of Storm Water Contamination

The identification of the potential source areas of storm water contamination, significant materials exposed to storm water, and residual pollutants at the facility allows the permittee to focus and prioritize their pollution prevention efforts. Table A of this section gives the common source areas of storm water contamination and the time period within which the sources need to be controlled.

(1)(f) Permanent Structure, Cap, or Pavement Over Soil

Management of newly generated waste materials from their operations is the first step in addressing all environmental issues faced by the scrap recyclers and salvage yards. This strategy will allow the industry

to adjust their operations in a systematic manner to both prevent any further contamination at their sites, continue to operate as viable businesses, and to identify and address existing contamination.

The permittee should notify the Department when it proposes capping or paving of contaminated sites as a best management practice (BMP) to meet a storm water discharge permit requirement. This industry specific storm water permit directs the permittee to investigate for potential contamination where capping is offered as a BMP to reduce or eliminate storm water contamination. The required investigation is limited to the areas where storm water BMPs will require capping or paving. The investigator takes into account the scrap processor's knowledge of the historical use of the area and utilizes either soil sampling or groundwater monitoring, based on that historical information.

If significant levels of residual pollutants are found the permittee shall submit to the WDNR Bureau of Remediation and Redevelopment the results of all tests taken, a description of the proposed capping or paving over the residual pollutants, and an explanation as to whether or not the proposed capping or paving is a remedial action that will comply with the requirements of the NR 700 rule series, Wis. Adm. Code.

(1)(h) SWPPP Implementation Schedule

This permit includes a four-phase timetable for pollution source control and compliance activities. The phases are to be carried out over a ten year period. This is longer than the maximum five year life of a WPDES general permit. The Department expects the permits reissued after the first five years will continue the phases within the ten year timetable.

Table A of the permit contains details of typical storm water pollution sources to be controlled during the second, third, and fourth phases. Not all facilities will have all these sources, and the degree of concern and the relative cost and level of difficulty to control a particular source will vary for each facility. However, at most facilities, sources that will be addressed during Phase II of the timetable can be controlled at a relatively low cost using practical BMPs. Phase III sources will entail a moderate cost and level of difficulty to control, except for industrial turnings and borings which have high control costs. Turnings and borings were included in Phase III because these materials can be a significant source of metal particles and emulsified cutting oils and coolants, which should be controlled early in the program. Control of Phase IV sources will generally require costly major structural improvements to the facility. The phased strategy intends to blend environmental concerns and implementability so that a comprehensive solution is achieved.

(2) Amending a SWPPP

The permittee may need to make amendments after the plan has been implemented. The need for additional control may become apparent through inspection, monthly visual checks, or annual chemical monitoring. In other cases, amendments may result from planned changes at the facility that create new or increased sources of storm water contamination. Examples of this might include surface regrading that changes drainage patterns, or expansion/changes in facility operations that create new impervious areas or possibly bring new contaminants into contact with storm water. The facility has the obligation to initiate plan amendments whenever these changes at the facility increase storm water pollutant loadings to either receiving waters or to storm water treatment devices. The Department may also initiate the amendment

D. ADDITIONAL REQUIREMENTS FOR DISCHARGES WHERE PERMITTEE DOES NOT PARTICIPATE IN A COOPERATIVE COMPLIANCE PROGRAM

It is not certain that all facilities will participate in a CCP. It is also probable that a facility may start in a CCP and become ineligible to continue participation. This alternative track is provided for those facilities. This track follows the requirements of Parts A, B, D, and E. Facilities choosing this option will have the same timetable for controlling source areas but will need to accept additional requirements to replace the compliance effort of the CCPs. These facilities will need to follow a more conventional means of evaluating the performance of the BMPs implemented.

(1) Storm Water Pollution Prevention Plan (SWPPP)

Part of the SWPPP documentation is a checklist of inspections, a monitoring schedule by outfall, and records of annual employee training and awareness programs.

(2) Monitoring Requirements

The first level of storm water monitoring consists of a comprehensive annual facility site compliance inspection (AFSCI) to determine if the facility is operating in compliance with its SWPPP. The permittee should use the results of this inspection to determine the extent to which the facility's SWPPP needs to be updated to prevent pollution from new source areas, as well as to correct any inadequacies that the plan may have in handling existing sources.

The second level of storm water monitoring consists of quarterly visual observations of storm water leaving the site during runoff events caused by snow-melt or rainfall. This is a practical, low cost tool for identifying obvious contamination of storm water discharges, and can also help identify which practices are ineffective. This period will depict the worst case situation, which is appropriate for spotting problem areas. The goal of quarterly inspections is to obtain results from a set of four inspections that are distributed as evenly as possible throughout the year and which depict runoff quality during each of the four seasons.

The third level of storm water monitoring consists of annual chemical monitoring. The sampling of storm water and analysis is required so that data is gathered, in addition to the other levels of monitoring, to be used in evaluating the effectiveness of the SWPPP and associated BMPs. Constituents were selected based upon the Federal Multi-Sector Storm Water General Permit, analytical data provided by the Institute of Scrap Recycling Industries, and permits by other States.

Under s. NR 216.28(5), Wis. Adm. Code, the Department may waive specific monitoring requirements for just cause, as provided in the permit. The monitoring approach may need to be modified to adapt to certain situations, such as seasonal or temporary operations. In addition, the Department may grant other waivers, for example: if the only events that produce runoff occur during times when staff are not present at the facility or when it is dangerous to attempt to perform the required monitoring. Should this occur, the Department may waive the submittal of inspection data for the affected quarter. This waiver will not be available for permittees that fail to conduct the required inspections/monitoring when conditions are appropriate.

process by notifying the facility that an amendment is required when the Department determines the existing plan is ineffective.

Several paragraphs in Part B.(2) of the permit contain qualitative clauses that serve to "trigger" specific action by the permittee. For example, paragraph (1) requires that the SWPPP be amended if "significant" increases occur in the exposure of pollutants to storm water. A similar qualifier appears in paragraph (2) with respect to the "effectiveness" of storm water controls. The Department is not in a position to establish numeric criteria at this point. The Department intends to work with industry to establish and monitor the implementation of best management practices.

(3) Evaluation of Non-Storm Water Discharges

The permittee must certify that the storm water discharge has been evaluated for the presence of non-storm water discharges. This may be done with a one-time evaluation using such techniques as dye testing, smoke testing, or video camera observation. Alternatively, a periodic (twice per year) visual inspection during dry-weather flow periods can be used as a testing method. In the event that a non-storm water discharge is detected, the permittee must assess the source of the discharge. Many types of non-storm water discharges will need coverage under some type of a WPDES permit, so it is important that the permittee obtain the additional coverage or eliminate the discharge. This section of the permit includes requirements and conditions for evaluating these discharges. A "failure to certify" option is allowed under s. NR 216.28(1)(d), Wis. Adm. Code, where a permittee states access to a suitable monitoring site is not available.

C. ADDITIONAL REQUIREMENTS FOR DISCHARGES WHERE PERMITTEE ELECTS TO PARTICIPATE IN A COOPERATIVE COMPLIANCE PROGRAM

A private industry group will provide the organizational structure of the cooperative compliance program (CCP). There may be more than one CCP active under this permit. For the scrap recyclers, WISRI will sponsor a new organization to manage the CCP. WISRI's initiative will ideally be a model for other groups to work as full partners with the Department. It is anticipated that the CCP sponsored by WISRI will be coordinated with the Cities of Milwaukee, Madison, and other affected municipalities. It will be necessary to write a memorandum of understanding between the Department and each CCP to detail the disclosures necessary to track the progress of participants.

(1) BMP and Treatment Practice Selection

Joint development of acceptable BMPs serves several purposes. First, it should encourage application of industry expertise and experience to storm water pollution prevention. Second, acceptable BMPs will allow the industry to operate with less uncertainty of whether there is compliance with the permit. Lastly, it should reduce the Department's efforts required for assistance, review, and enforcement.

(2) Conduct Monthly Inspections

An inspection by the permittee is needed to determine if the facility is operating in compliance with its SWPPP. The permittee should use the results of this inspection to determine the extent to which the facility's SWPPP needs to be updated to prevent pollution from new source areas, as well as to correct any inadequacies that the plan may have in handling existing sources.

(3) Compliance and Reporting Requirements

This permit has a "rolling" compliance schedule for each permittee. The schedule starts when the permittee receives a cover letter with the permit from the Department. The cover letter will have a permit "start date." Consequently, all permittees have the same number of days in which to complete specified activities regardless of when the permit becomes effective at the facility. The permit differentiates between new and existing facilities only in the time frame by which they must create their SWPPP. Existing facilities will need to complete a SWPPP and submit a summary of the plan to the Department within 12 months of their permit effective date. Facilities constructed after October 31, 1994 must prepare a SWPPP and submit the summary prior to initiating construction.

The permit requires the first AFSCI to be conducted within 24 months from the effective date of the permit, and first AFSCI report to be submitted to the Department within 30 months from the effective date of the permit.

E. STANDARD PERMIT CONDITIONS

This section includes requirements to comply with this general permit and the applicable State laws and regulations.

Any individual wishing further information should contact:

Wisconsin Department of Natural Resources
Runoff Practices Management Section - WT/2
101 South Webster
P.O. Box 7921
Madison, WI 53707-7921
Phone (608) 264-8534 or 267-7694

Appendix to Briefing Memo: Comparing the Draft Industry Specific Storm Water Permit for Scrap Recycling Facilities with the Tier 1 General Permit				
Requirement	Tier 1 General Storm Water Discharge Permit - WI-S067849-1	WI-S058831-Draft-1 Industry Specific Permit where Cooperative Compliance Program is Elected	WI-S058831-Draft-1 Industry Specific Permit where Cooperative Compliance Program is Not Elected	
SWPPP Planning	Permittee develops written SWPPP and submits a signed summary to WDNR.	CCP certifies SWPPP developed by permittee; permittee notifies WDNR of certification.	Same as Tier 1.	
Site Assessment	Permittee makes a drainage base map; identifies potential pollution sources; evaluates non-storm discharges.	Same as Tier 1.	Same as Tier 1.	
Source Area BMP Selection	Permittee chooses BMPs to prevent contamination, but must address: soil erosion, good house-keeping, preventative maintenance, visual inspections, spill prevention, covering salt, control section 313 water priority chemicals.	Permit specifies the source areas that need to be controlled; permittees with these sources shall select BMPs from a joint WISRI/WDNR list of BAT/BCT BMPs, or can install alternative BMPs at their own risk of non-compliance.	Permit specifies the source areas that need to be controlled; permittees with these sources can select BMPs from any source, but are at their own risk of non-compliance.	
Treatment Practice Selection	Where source area BMPs not feasible, cost effective, or inadequate; where contaminated by petroleum or significant amounts of sediment; may be subject to WDNR plan review.	Same as Tier 1.	Same as Tier 1.	
Employee Training	Permittee provides employee training and awareness program.	Permittee participates in training program sponsored by CCP.	Same as Tier 1.	

Appendix to Briefing Memo (continued)

Requirement	Tier 1 General Storm Water Discharge Permit - WI-S067849-1	WI-S058831-Draft-1 Industry Specific Permit where Cooperative Compliance Program is Elected	WI-S058831-Draft-1 Industry Specific Permit where Cooperative Compliance Program is Not Elected
Implementation Schedule	BMPs are implemented within 24 months of start date, or approved alternate schedule.	BMPs are implemented in phases over ten years.	BMPs are implemented in phases over ten years.
Compliance Inspection	Annual; written.	Monthly; written.	Same as Tier 1.
Visual Inspection of Storm Water Quality	Quarterly at all outfalls.	Not required.	Same as Tier 1.
Non-Storm Water Discharge Evaluation	Semi-annual at all outfalls.	Same as Tier 1.	Same as Tier 1.
Chemical Monitoring	Once during each of second and third years; permittee determines constituents.	Not required.	Annually at all outfalls for TSS, COD, Conductivity, Lead, Copper, Zinc, Naphthalene.
Reporting	Submit reports to WDNR at the end of first, second, and third years.	Performance of SWPPP development and annual CCP training and audit shall be reported to WDNR.	Submit reports to WDNR at the end of each year.

**GENERAL PERMIT TO DISCHARGE UNDER
THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of Chapter 283, Wisconsin Statutes, any facility engaged in

RECYCLING OF SCRAP AND WASTE MATERIALS

in the State of Wisconsin that meets the applicability criteria listed in Part A of this General Permit, is permitted to discharge

STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY

from point sources, either directly or via a separate storm sewer system, to waters of the state (including surface waters, wetlands, groundwater, and municipal and private separate storm sewers) provided that the discharge is in accordance with the conditions set forth in this permit.

This permit is issued by the Department of Natural Resources and covers storm water discharges as of the date of issuance to the facility. This permit will be transmitted by the Department to the permittee along with an attached cover letter stating that coverage under this general permit is appropriate. This permit will become effective at a facility beginning upon the Start Date specified by the Department in the cover letter.

This permit to discharge shall expire at midnight, October 31, 2002.

State of Wisconsin Department of Natural Resources
For the Secretary

By _____
Allen K. Shea, Director
Bureau of Watershed Management
Division of Water

Dated _____

A. APPLICABILITY CRITERIA

- (1) Facilities Covered: With exceptions listed in (2) below, this permit applies to storm water discharges originating from facilities which meet either of the following criteria:
 - (a) Facilities where the primary income-producing activity is classified by the 1987 edition of the Standard Industrial Classification Manual as SIC code 5093 - Scrap and Waste Materials. This classification is for facilities engaged in assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials. This classification includes auto wreckers engaged in dismantling automobiles for scrap. However, those facilities primarily engaged in dismantling automobiles for the purpose of selling secondhand parts are classified separately in SIC 5015 and are required to be covered by the Tier 1 WPDES Storm Water Discharge Permit No. WI-S067849-1;
 - (b) Facilities with bulk storage piles for scrap that petition the Department against coverage under the Tier 1 WPDES Storm Water Discharge Permit No. WI-S067849-1 and in favor of coverage under this permit.
- (2) Discharges Not Covered: This permit does not apply to:
 - (a) Non-storm water discharges,
 - (b) Remedial action discharges or discharges authorized by a general permit for discharging contaminated or uncontaminated groundwater,
 - (c) Discharges of hazardous substances that are required to be reported under ch. NR 706, Wis. Adm. Code.
 - (d) Storm water discharges from areas located on plant lands which are segregated from the industrial activities of the plant, such as office buildings and accompanying parking lots, if the drainage from the segregated areas is not mixed with contaminated storm water drainage,
 - (e) Storm water discharges from industrial activities owned or operated by municipalities which are not required to apply for a municipal storm water discharge permit, not including airports, powerplants or uncontrolled sanitary landfills,
 - (f) Facilities where the Department makes a determination, pursuant to s. NR 216.25(3), Wis. Adm. Code, that a storm water discharge is more appropriately covered under an individual WPDES permit.
 - (g) Storm water discharges into a municipal combined sewer system.
 - (h) Discharges of water that has been treated after contacting petroleum products as authorized by the general permit for petroleum product contact water.

B. REQUIREMENTS FOR ALL DISCHARGES

- (1) Storm Water Pollution Prevention Plan (SWPPP) - All persons owning or operating facilities covered under this permit (permittees) shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). Further details about how to prepare a SWPPP can be found in the guidance publication Industrial Storm Water Pollution Prevention Planning (WDNR, Sept. 1994) available from the Department of Administration, Document Sales; telephone 1-800-362-7253; stock no. 1723. The SWPPP shall be in writing and contain, at a minimum, the following elements:
- (a) Pollution Prevention Individual - The specific individual, identified by job title, responsible for all aspects of SWPPP development and implementation.
 - (b) Facility Site Description - A short description that summarizes the major activities conducted at various locations throughout the facility.
 - (c) Drainage Base Map - A facility drainage base map that depicts how storm water drains on, through, and from the facility to either groundwater, surface water, or wetlands. The drainage base map shall show:
 - 1. the facility property boundaries;
 - 2. a depiction of the storm drainage collection and disposal system, including all known surface and subsurface conveyances, with the conveyances named;
 - 3. any secondary containment structures;
 - 4. the location of all outfalls, including outfalls recognized as permitted outfalls under another WPDES permit, numbered for reference, that discharge channelized flow to surface water, groundwater, or wetlands;
 - 5. the drainage area boundary for each storm water outfall;
 - 6. the surface area in acres draining to each outfall, including the percentage that is impervious such as paved, roofed, or highly compacted soil and the percentage that is pervious such as grassy areas and woods;
 - 7. proposed and existing structural best management practices;
 - 8. proposed and existing storm water treatment practices;
 - 9. the name and location of receiving waters;
 - 10. and, the location of activities and materials that have the potential to contaminate storm water.
 - (d) Potential Sources of Storm Water Contamination - An identification of:
 - 1. Source Areas - All potential source areas of storm water contamination and any polluting activities associated with the source areas. The SWPPP shall consider all areas including but not limited to: processing areas, maintenance areas, immediate access roads and rail lines, material handling sites, storage areas, areas of significant soil erosion, and any other areas capable of contaminating storm water runoff.
 - 2. Significant Materials - Significant polluting materials exposed to storm water in the source areas identified. When possible, specific pollutants likely to be present in storm water as a result of contact with specific materials shall also be listed. Significant materials include, but are not limited to: inbound scrap materials, used fluids, sediment deposits on impervious surfaces, obsolete debris and equipment,

residual fluids from processing equipment and scrap automobiles, shredder fluff, and scrap with a significant risk of storm water contamination because of associated fluids, small particle size, or ease of transport, such as industrial turnings and borings, oily scrap, copper wire, fuel tanks, and PCB-bearing electrical components.

3. Residual Pollutants - Areas containing any other toxic or hazardous pollutants from present or past activity at the site that remain in contact with precipitation or storm water and which could be discharged to the waters of the state. This is to include past releases of oil or other hazardous substances reportable under ch. NR 706, Wis. Adm. Code.
- (e) Status of Non-Storm Water Discharges - Identify all known contaminated and uncontaminated sources of non-storm water discharges to the storm sewer system or waters of the State and indicate which of the discharges, if any, are covered by WPDES permits.
- (f) Permanent Capping or Paving Over Soil - Before concrete or asphalt capping or paving is placed over any of the critical source areas listed in paragraph (g) below, as part of a proposed storm water best management practice (BMP), the permittee shall check for the presence of residual pollutants. The investigation required under this permit may be limited to the areas where storm water BMPs will require capping or paving. The investigation shall take into account the scrap processor's knowledge of the historical use of the area. The permittee may choose either soil sampling or groundwater monitoring in conducting the investigation.

The investigation shall become part of the SWPPP documentation. If significant levels of residual pollutants are found, the permittee shall submit to the WDNR Bureau of Remediation and Redevelopment the results of all tests taken, a description of the proposed capping or paving over the residual pollutants, and an explanation as to whether or not the proposed capping or paving is a remedial action that will comply with the requirements of the NR 700 rule series, Wis. Adm. Code. The submittal shall be made to the Department prior to capping or paving. The permittee may then proceed without delay with capping or paving. The ability of the permittee to proceed without delay is not an approval of any remedial action, the Department may later determine that the capping or paving does not comply with the requirements of the NR 700 rule series and additional remedial actions may be required.

The permittee has the following options for determining if contamination exists in the critical source areas listed in paragraph (g):

1. Taking soil samples in the immediate location where the BMP will be located. Procedures and standards to be followed are set forth in the Wis. Adm. Code NR 700 rule series. These samples will be analyzed for contaminants that are likely to be present due to previous operational activities (e.g. lead recovery from batteries - samples would be analyzed for lead and pH), or
2. Placing a minimum of three groundwater monitoring wells in the vicinity of the BMP to determine groundwater flow direction. Procedures and standards to be followed are set forth in the Wis. Adm. Code NR 700 rule series. Groundwater monitoring well samples shall be analyzed for contaminants that are likely to be present due to previous operational activities

(e.g. scrap metal cleaning area - samples would be analyzed for petroleum constituents, metals, and solvents).

If groundwater monitoring has been chosen to determine if contamination is present, then the soils that will remain within the capped or paved BMP area after the BMP construction is complete will not need to be sampled. Sampling is required for soils removed and disposed of outside of the capped or paved BMP area (including soils disposed of in other areas within the property boundary). Contaminated soils removed from the BMP area shall be disposed of in accordance with ch. NR 718, and NR 500 series, Wis. Adm. Code.

(g) Critical Source Areas at a Scrap Recycling Facility- An identification of:

1. Unpaved areas where lead-acid batteries were broken and reclaimed.
2. Unpaved areas where oily turnings and borings, or other types of oily scrap, have been stored and oil has seeped into the soil.
3. Unpaved areas where used oils, fuels, fluids from scrap automobiles, or residual fluids from processing equipment and vehicles have seeped into the soil.
4. Unpaved areas used for bulk storage piles of copper wire, fuel tanks, PCB-bearing electrical components, or shredder fluff.

(h) SWPPP Implementation Schedule - An implementation schedule that meets or exceeds the pollution source control and compliance activities schedules set forth in this permit. The storm water pollution sources that are identified in the SWPPP shall be controlled by BMPs or treatment practices by the end of the phase period as shown in Table A. Time in years shall be measured from the start date of the permittee's cover letter.

(i) Signature - The SWPPP shall be signed in accordance with item E.(12) of the Standard Permit Conditions section of this permit, and contain the following statement: "I certify under penalty of law that this document and attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information contained in the plan. Based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information; the information contained in this document is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for providing false information, including the possibility of fine and imprisonment. In addition, I certify under penalty of law that, based upon inquiry of persons directly under my supervision, to the best of my knowledge and belief, the provisions of this document adhere to the provisions of the storm water permit for the development and implementation of a Storm Water Pollution Prevention Plan and that the plan will be complied with."

Phase	Table A: Storm Water Pollution Sources to be Addressed in the SWPPP Implementation Schedule
I. Year 1	Select BMPs or treatment practices to address the storm water pollution sources identified in this Table and schedule their implementation within the time frames shown in the phase column.
II. Year 2	Non-storm water discharges. Examples are cooling water, process water, sewage, spills, leaks, vehicle washwater.
	Inbound scrap materials. Inspection of materials delivered to the facility. Certain types of material (i.e., gasoline tanks, batteries, PCB-capacitors, compressors) may require special handling or storage procedures or may not be accepted by some facilities.
	Storage and handling of SARA Title III Section 313 "Water Priority Chemicals" (42 U.S.C. s. 11023(c)), batteries and used fluids. Used fluids could include waste oil, parts cleaning fluids, and maintenance fluids (motor oil, antifreeze, hydraulic oil).
	Sediment deposits on impervious surfaces. Impervious surfaces include rooftops, paved roadways and parking lots, and paved scrap storage and processing areas. Non-industrial impervious areas such as office buildings and employee/visitor parking lots are excluded if the drainage from these areas is not mixed with industrial runoff.
	Obsolete debris and equipment. Includes accumulated debris, demolition materials, sludge, paper filters, debris from filtration and treatment systems, pallets, and old recycling equipment no longer in use.
	Spills and leaks. Spills and leaks are immediate, accidental releases of fluids or material from vehicles, processing equipment, drums, aboveground tanks, maintenance activities, scrap storage containers, hydraulic systems, and fueling operations.
	Erosion and sedimentation sources where nonstructural controls are appropriate.
III. Years 3-5	Ferrous and non-ferrous turnings and borings, and associated oils, fines, and coolants.
	Residual fluids and particulates that are discharged or emitted during the operation of processing equipment. Includes hydraulic fluids, coolants, fuels, lubricants, and metal fines. Includes fluids and particulates potentially released during the removal or renovation of equipment, or during the installation of new equipment.
	Fluids from scrap automobiles, motor blocks, and vehicle parts. Includes fuel, antifreeze, oils, power steering fluids, transmission and brake fluids.
IV. Years 6-10	Erosion and sedimentation sources where structural controls (paving, detention ponds) are appropriate.
	Runoff problems. Ponding, poor drainage, or excessive flow volumes or velocities that contribute to water pollution problems.
	Source areas that have been identified in the SWPPP development that are not otherwise listed in this table.
	Other scrap with a significant risk of storm water contamination. Includes scrap that has associated fluids (such as lubricants, coolants, or cutting oils), has small particles, or is easily erodible or mobile. Includes oily scrap, chopped wire, wire insulation, electrical components, ballasts and shredder fluff.

- (2) Amending a SWPPP - A permittee shall amend a SWPPP under the following circumstances:
- (a) When expansion, production increases, process modifications, changes in material handling or storage, or other activities are planned which will result in significant increases in the exposure of pollutants to storm water discharged either to waters of the state or to storm water treatment devices. The amendment shall contain a description of the new activities that contribute to the increased pollutant loading, planned source control activities that will be used to control pollutant loads, an estimate of the new or increased discharge of pollutants following treatment, and when appropriate, a description of the effect of the new or increased discharge on existing storm water treatment facilities.
 - (b) The monitoring required in this permit (comprehensive annual facility site compliance inspection, quarterly visual inspections of storm water quality, or monthly inspections, compliance audits) or other means reveals that the provisions of the SWPPP are ineffective in controlling storm water pollutants discharged to waters of the state.
 - (c) Upon written notice that the department finds the SWPPP to be ineffective in achieving the conditions of this permit.
- (3) Evaluation of Non-Storm Water Discharges. The permittee shall evaluate all storm water outfalls for non-storm water discharges to the storm drainage system for the duration of this permit. Evaluations shall take place during dry periods and shall be representative of non-storm water discharges from the facility (i.e. consider seasonal or cyclical activities). Either of the following monitoring procedures are acceptable:
- (a) End of Pipe Screening - A visual observations made at least twice per year, beginning with the first year of the permit, at each outfall of the storm sewer collection system. Instances of dry weather flow, stains, sludge, color, odor, or other indications of a non-storm water discharge shall be recorded.
 - (b) Detailed Testing - A detailed testing of the storm sewer collection system may be performed during the first year of the permit. Acceptable testing methods include dye testing, smoke testing, or video camera observation. The Department shall require a re-test after 5 years.

Upon discovering non-storm water flows which are not covered under another permit, the permittee shall either seek coverage under another permit or eliminate the non-storm water flow.

C. ADDITIONAL REQUIREMENTS FOR DISCHARGES WHERE PERMITTEE ELECTS TO PARTICIPATE IN A COOPERATIVE COMPLIANCE PROGRAM

A permittee may elect to participate in a cooperative compliance program (CCP) that is organized and sponsored by a private industry group. The purpose of the CCP is to administer a compliance program in such a way that its participants meet the requirements of this permit. Where a permittee elects CCP participation, the permittee shall be required to comply with Parts A, B, C, and E of this permit. Permittees that become ineligible, for any reason, for participation in the CCP shall become subject to the requirements of Part D. of this permit and not Part C.

- (1) Certify Participation - Within twelve months of the permit coverage start date, the permittee shall certify in writing to the Department that the pollution prevention individual is participating in, and the facility is subject to, a cooperative compliance program that has been approved by the Director of the Bureau of Watershed Management, WDNR. The cooperative compliance program shall be designed to:
 - (a) Identify and track progress of participants
 - (b) Provide training and education
 - (c) Assist the Department in complaint investigation
 - (d) Certify SWPPP development
 - (e) Conduct compliance audits
 - (f) Submit annual compliance report on participants to the Department
 - (g) Assess the effectiveness of BMPs
- (2) Storm Water Pollution Prevention Plan (SWPPP) Development - Within twelve months of the permit coverage start date, the permittee shall send the Department a statement signed pursuant to section E.(12) of this permit that a SWPPP has been developed for the facility and that the SWPPP has been certified by the cooperative compliance program. Facilities constructed after the effective date of this permit shall send the Department a statement signed pursuant to section E.(12) of this permit that a SWPPP has been developed for the facility and that the SWPPP has been certified by the cooperative compliance program prior to initiating construction. The SWPPP shall be kept at the facility and made available to the department upon request. If the storm water discharges to a municipality covered under a municipal storm water permit, the SWPPP shall be made available to that municipality upon request.
- (3) BMP and Treatment Practice Selection - The permittee will select from a set of acceptable BMPs and Treatment Practices that will be provided jointly by the Department and the CCP. The acceptable BMPs may include performance criteria. The selected BMPs and Treatment Practices will be considered the best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) that demonstrates compliance on the part of the permittee. The Department and the CCP may update the list of approved BMPs and Treatment Practices to incorporate new approaches and control strategies, and to remove those that are not found to be effective.

Where storm water is significantly contaminated with petroleum products following the implementation of acceptable BMPs, additional BMPs shall include treatment for oil and grease removal by an adequately sized, designed, and functioning wastewater treatment device. Coverage under a separate individual or Petroleum Contact Water general permit is required for discharges of water that has been treated after contacting petroleum products.

Where point source discharges of storm water are contaminated by significant amounts of sediment from eroding areas, including bare earth industrial lots and ongoing industrial processes, acceptable BMPs shall include treatment by sediment trapping and sediment reduction practices designed in accordance with good engineering practices.

A permittee wishing to substitute a different BMP or treatment practice would assume the risk that additional controls would be required within the term of this permit. Where a permittee proposes a substitute for an acceptable BMP, the CCP shall notify the Department of the substitute in an

annual compliance report. The Department may require additional requirements to monitor the effectiveness of the substitute.

- (4) BMP Implementation - Permittees shall implement BMPs or treatment practices according to the implementation schedule developed in their SWPPP as part of the requirement in Part B.(1)(h) of this permit.
- (5) Conduct Monthly Inspections - The permittee shall conduct monthly inspections beginning in the second year of the permit coverage. The inspection shall be adequate to verify that the site drainage conditions and potential pollution sources identified in the SWPPP remain accurate, and that the BMPs prescribed in the SWPPP are being implemented, properly operated and adequately maintained. Written records maintained on site shall document: the inspection date, inspection personnel, scope of the inspection, major observations, and revisions needed in the SWPPP.
- (6) Compliance Audit - The permittee shall participate in an annual audit of SWPPP compliance and source area control BMP effectiveness administered by the CCP. The results of the audit shall be kept at the facility as part of the SWPPP. The CCP shall include the facility and permittee name on a report of compliance audits performed.
- (7) Compliance Activities Schedule - The permittees shall conduct their compliance activities by the end of the phase period as shown in Table B. Time in years shall be measured from the start date of the permittee's cover letter.

Phase	Table B: Compliance Activities to be Addressed in the SWPPP Implementation Schedule
I. Year 1	<ul style="list-style-type: none"> • Designate person responsible for pollution prevention • Develop Storm Water Pollution Prevention Plan (SWPPP) • Evaluate non-storm water discharges • Attend planning program
II. Year 2	<ul style="list-style-type: none"> • Attend basic training program • Begin documenting monthly self-inspections of BMPs • Evaluate non-storm water discharges • Implement BMPs or treatment practices to address storm water pollution sources in accordance with the schedule in Table A.
III. Years 3-5	<ul style="list-style-type: none"> • Participate in annual compliance audit • Attend advanced training program annually • Continue to document monthly self-inspections of BMPs • Evaluate non-storm water discharges • Implement BMPs or treatment practices to address storm water pollution sources in accordance with the schedule in Table A.
IV. Years 6-10	<ul style="list-style-type: none"> • Participate in annual compliance audit • Attend advanced training program annually • Continue to document monthly self-inspections of BMPs • Evaluate non-storm water discharges • Implement BMPs or treatment practices to address storm water pollution sources in accordance with the schedule in Table A.

D. ADDITIONAL REQUIREMENTS FOR DISCHARGES WHERE PERMITTEE DOES NOT PARTICIPATE IN A COOPERATIVE COMPLIANCE PROGRAM

(1) Storm Water Pollution Prevention Plan (SWPPP)

- (a) Source Area Control Best Management Practices (BMPs) - The SWPPP shall provide for the use of source area control best management practices (BMPs) to prevent storm water from being contaminated at the facility. BMPs are schedules of activities, prohibitions of practices, maintenance procedures, structural controls, source area controls, treatment requirements, operating procedures, outdoor storage containment and other management practices to prevent or reduce pollutants in runoff entering waters of the state. The SWPPP shall provide for the use of the following applicable BMPs:
1. Practices to control significant soil erosion;
 2. Good house-keeping measures, preventive maintenance measures, visual inspections, spill prevention and response measures, and employee training and awareness;
 3. Covering or enclosing salt storage piles so that neither precipitation nor storm water runoff can come into contact with the stored salt; or, for permittees that use brine and have salt storage piles on impervious curbed surfaces, a means of diverting contaminated storm water to a brine treatment system for process use; and
 4. Use of a combination of storm water contact control or containment, drainage controls, or diversions to control SARA Title III Section 313 "Water Priority Chemicals" (42 U.S.C. s. 11023(c)) potentially discharged through the action of storm water runoff, leaching, or wind.
- (b) Treatment Practices - When source area control BMPs are not feasible, not cost effective, or are inadequate to control storm water pollution, or when the Department determines BMPs are inadequate to achieve a water quality standard, the permittee shall implement treatment practices to reduce the pollutants in contaminated storm water prior to discharge to waters of the state. Treatment practice is a storm water treatment system, works, or practice that is designed to reduce or remove pollutants from contaminated storm water. If a SWPPP includes a storm water treatment practice, the department may require the submittal of plans and specifications for review and approval pursuant to s. 281.41(1), Stats. The SWPPP shall provide for the following types of storm water treatment practices:
1. Storm water significantly contaminated with petroleum products shall be treated for oil and grease removal by an adequately sized, designed, and functioning wastewater treatment device. Coverage under a separate individual or Petroleum Contact Water general permit is required for discharges of water that has been treated after contacting petroleum products.
 2. Point source discharges of storm water contaminated by significant amounts of sediment from eroding areas, including bare earth industrial lots and ongoing

industrial processes, shall be treated by sediment trapping and sediment reduction practices designed in accordance with good engineering practices and the design criteria, standards and specifications outlined in the Wisconsin Construction Site Best Management Practices Handbook (WDNR Pub. WR-222 November 1993 Revision) available from the Department of Administration, Document Sales; telephone 1-800-362-7253; stock no. 1700..

- (c) The SWPPP shall include a checklist of inspections to be made during the annual facility site inspection.
 - (d) The SWPPP shall also identify for each outfall the type of monitoring that will be conducted, such as non-storm discharge monitoring, storm water discharge quality inspections or chemical pollutant monitoring.
 - (e) The SWPPP shall include a annual employee training and awareness program.
- (2) Monitoring Requirements - Monitoring includes site inspections as well as the collection and analysis of storm water samples. Any monitoring shall be representative of storm water discharges from the facility.
- (a) Annual Facility Site Compliance Inspection (AFSCI). Permittees shall perform and document the results of the AFSCI. The inspection shall be adequate to verify that the site drainage conditions and potential pollution sources identified in the SWPPP remain accurate, and that the best management practices prescribed in the SWPPP are being implemented, properly operated and adequately maintained. Information reported shall include: the inspection date, inspection personnel, scope of the inspection, major observations, and revisions needed in the SWPPP.
 - (b) Quarterly Visual Monitoring. Permittees shall perform and document quarterly visual inspections of storm water discharge quality at each storm water discharge outfall. Inspections shall be conducted within the first 30 minutes of discharge or as soon thereafter as practical, but not exceeding 60 minutes. The inspections shall include any observations of color, odor, turbidity, floating solids, foam, oil sheen, or other obvious indicators of storm water pollution. Information reported shall include the inspection date, inspection personnel, visual quality of the storm water discharge, and probable sources of any observed storm water contamination.
 - (c) Annual Chemical Storm Water Sampling. Permittees shall perform annual chemical storm water sampling at each outfall beginning with the second year of coverage under this permit.
 - 1. Permittees shall sample storm water discharges for the following physical and chemical characteristics:
 - (1) Total Suspended Solids.
 - (2) Chemical Oxygen Demand.
 - (3) Conductivity
 - (4) Total Recoverable Lead, Copper, & Zinc
 - (5) Naphthalene

2. Permittees shall follow the procedure for storm water sampling and analysis as specified in s. NR 216.28(4), Wis. Adm. Code and Wisconsin's Guidance for Industrial Storm Water Sampling (WDNR, Sept. 1994) available from the Department of Administration, Document Sales; telephone 1-800-362-7253; stock no. 1724.
 3. Monitoring Waivers. The department may waive specific monitoring requirements for the following reasons:
 - (1) The permittee indicates that either an employee could not reasonably be present at the facility at the time of the snow-melt or runoff event, or that attempts to meet the monitoring requirement would endanger employee safety or well-being.
 - (2) The permittee indicates that there were no snow melt or runoff events large enough to conduct a quarterly visual inspection at an outfall.
 - (3) An inactive or remote facility (such as an inactive mining operation) demonstrates that monitoring and inspection activities are impractical or unnecessary. At a minimum, the Department shall establish an alternative requirement that the permittee make site inspections by a qualified individual at least once in every 3 year period.
 - (4) The permittee can demonstrate to the Department's satisfaction that the sources of storm water contamination are outside of the permittee's property boundary and are not associated with the permittee's activities. The demonstration shall be presented in the SWPPP and submitted to the department for evaluation.
- (3) Compliance and Reporting Requirements
- (a) SWPPP Compliance and Reporting Requirements.
1. Existing facilities shall develop a written SWPPP and submit a SWPPP summary to the department within 12 months from the effective date of coverage under the storm water permit. Facilities constructed after the effective date of this permit shall develop a SWPPP and submit a SWPPP summary to the department prior to initiating construction.
 2. The SWPPP shall be kept at the facility and made available to the department upon request. If the storm water discharges to a municipality covered under storm water permit, the SWPPP shall be made available to that municipality upon request.
 3. The SWPPP summary shall be submitted on a standardized department form, which the department shall provide with this permit.

4. If a SWPPP summary is incomplete, the department shall notify the permittee, and may request to review the complete SWPPP.
 5. The permittee shall keep the SWPPP current to correct deficiencies in the original SWPPP. The permittee shall amend the SWPPP and notify the department in the event of any facility operational changes that could result in additional significant storm water contamination.
- (b) BMP Implementation - Permittees shall implement BMPs or treatment practices according to the implementation schedule developed in their SWPPP as part of the requirement in Part B.(1)(h) of this permit.
- (c) Monitoring Compliance and Reporting Requirements
1. The first AFSCI shall be conducted within 24 months of the effective date of coverage under this permit and shall be submitted within 30 months of the effective date of coverage. Subsequent annual reports shall be submitted within six months after the end of the report year. The report shall be written on forms prepared by and available from the Department, and shall contain information from the AFSCI, the quarterly visual inspection, the non-storm water evaluation and storm water chemical monitoring. Copies of all of AFSCI, quarterly visual inspection and non-storm water monitoring reports shall be maintained on site for department inspection for the life of the permit.
 2. The first quarterly visual inspection of storm water discharge quality shall be conducted within 24 months of the effective date of coverage under the permit.
 3. Facilities shall submit their annual chemical monitoring results with their AFSCI report.
- (d) Compliance Activities Schedule - The permittees shall conduct their compliance activities by the end of the phase period as shown in Table D. Time in years shall be measured from the start date of the permittee's cover letter.

Phase	Table C: Compliance Activity
I. Year 1	<ul style="list-style-type: none"> • Designate pollution prevention individual • Develop Storm Water Pollution Prevention Plan (SWPPP) • Evaluate non-storm water discharges
II. Year 2-10	<ul style="list-style-type: none"> • Conduct and record annual inspection • Conduct quarterly visual inspection • Evaluate non-storm water discharges • Conduct annual sampling of storm water discharge • Conduct or attend annual employee SWPPP training • Implement BMPs or treatment practices to address storm water pollution sources identified in the SWPPP

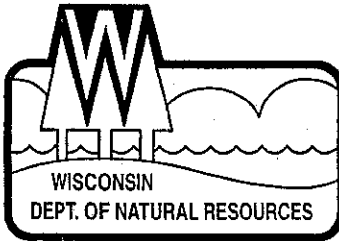
E. Standard Permit Conditions

- (1) **Work Near Surface Waters and Wetlands.** Any work performed in wetland areas or within areas subject to local floodplain and shoreland regulations must conform to all applicable county or local ordinances. All applicable state permits and/or contracts required by Chapters 30, 31 and 87, Stats. (or Wisconsin Administrative Code adopted under these laws), and applicable federal permits must be obtained as necessary.
- (2) **Duty to Comply.** Any act of noncompliance with this permit is a violation of the permit and is grounds for enforcement action, for permit termination or modification, or denial of coverage under the permit. If the permittee files a request for an individual WPDES permit or a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the permittee of any permit condition.
- (3) **Continuation of the Expired General Permit.** This permit will continue in force and effect until the Department revokes the permit or replaces it with a new permit. Any permittee who wishes to continue to discharge after the expiration date of the permittee's permit shall file an application for reissuance of the permit at least 180 days prior to the expiration. Applications for new coverage under this general permit cannot be made after the expiration of this general permit.
- (4) **Duty to halt or reduce activity.** Upon failure or impairment of best management practices, the permittee shall, to the extent deemed necessary by the Department to maintain compliance with its permit, modify or curtail operations until the best management practices are restored or an alternative method of storm water contamination control is provided.
- (5) **Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the application, he or she shall promptly submit such facts or information to Department.
- (6) **Records Retention.** All reports and records pertaining to the permittee's coverage under this general permit shall be retained for five years beyond the date of the cover letter notifying a facility of coverage under a storm water permit, and shall be made available to the Department upon request.
- (7) **Notice of Termination.** If a facility no longer claims coverage under this general permit, the permittee shall submit a signed notice of termination to the Department.
 - (a) Notice of Termination (Form 3400-170) forms may be obtained from the Regional offices of the Department or by writing to the Department of Natural Resources, WPDES Storm Water Discharge Permit Program, Box 7921, Madison, WI 53707-7921.
 - (b) Notice of termination forms shall be filed with the Department of Natural Resources, WPDES Storm Water Discharge Permit Program, Box 7921, Madison, WI 53707-7921.
 - (c) Termination of coverage shall be effective upon submittal of written confirmation by the Department to the permittee.

- (8) Permit actions. As provided in s. 283.53, Stats., after notice and opportunity for a hearing this permit may be modified or revoked and reissued for cause.
- (9) Modifications to Permit Requirements. The Department may, upon request of a permittee and/or upon finding of just cause, grant modifications to the compliance and reporting schedules or any requirements of this permit.
- (10) Duty to Minimize. The permittee shall take all reasonable steps to minimize or prevent any adverse impacts on the waters of the state resulting from non-compliance with this permit.
- (11) Duty to Provide Information. The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking, or reissuing the permit or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records or reports required to be kept by the permittee. The permittee shall notify the Department of any changes in operation that could potentially result in the contamination of storm water.
- (12) Certification and Signature Requirements. All applications for coverage under this permit, notices of termination, plans and reports or information required by this permit shall be signed by the permittee as follows:
 - (a) for a corporation, by a principal executive officer of at least the level of Vice President, or a duly authorized representative having overall responsibility for the operation covered by this permit;
 - (b) for a limited liability company, by a member or manager;
 - (c) for a unit of government, a principal executive officer, a ranking elected official, or other duly authorized representative;
 - (d) for a partnership, by a general partner; for a sole proprietorship, by the proprietor.
- (13) Liabilities Under Other Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the Clean Water Act (33 U.S.C. s. 1321), any applicable State law, or regulation under authority preserved by section 510 of the Clean Water Act (33 U.S.C. s. 1370).
- (14) Property Rights. The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.
- (15) Severability. The provisions of this permit are severable, and if any provisions of this permit or the application of any provision of this permit to any circumstance is held invalid the remainder of this permit shall not be affected thereby.
- (16) Transfers. This permit is not transferable to any person except after notice to the Department. In the event of a transfer of control of a permitted facility, the new owner or operator shall file a new storm water discharge application.

- (17) **Inspection and Entry.** Upon the presentation of credentials, the permittee shall allow an authorized representative of the Department to:
- (a) enter upon the permittee's premises where a regulated permittee or activity is located or conducted, or when records are required under the conditions of the permit;
 - (b) have access to and copy, at reasonable times, any records that are required under the conditions of the permit;
 - (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit;
 - (d) to sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters in storm water at any location; and
 - (e) inspect a facility requesting tier 3 coverage in order to evaluate eligibility for tier 3 coverage.
- (18) **Spill Reporting.** The permittee shall notify the Department within 24 hours in accordance with s. 292.11(2) Stats., in the event that a spill or accidental release of any hazardous material or substance results in the discharge of pollutants to the waters of the state or creates a condition that may contaminate storm water discharged to waters of the state.
- (19) **Submitting Records.** Unless otherwise specified, any reports submitted to the Department of Natural Resources in accordance with this permit shall be submitted to the Department office identified in the attached cover letter.
- (20) **Notification of Noncompliance.** Reports of noncompliance with requirements contained in any compliance schedule of the permit shall be submitted in writing within 14 days of the permittee becoming aware of the noncompliance. Any report of noncompliance shall include: a description of the noncompliance; its cause; the steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and the effect of the noncompliance on the permittees ability to meet remaining schedules.
- (21) **Enforcement.** Any violation of s. 283.33, Wis. Stats., ch. NR 216, Wis. Adm. Code, or this permit is enforceable under s. 283.89 (2m), Wis. Stats.

Attachment 4



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

October 12, 2006

DNR Region: SE County: Milwaukee
FIN: 33062

Steve Lewinsky
United Milw Scrap Townsend Div
3232 W Fond du Lac Ave
Milwaukee, WI 53210

FID: 241523040

SUBJECT: Confirmation of Coverage under a Wisconsin DNR Industrial Storm Water Discharge Permit for:

Facility Name: United Milw Scrap Townsend Div
Facility Location: 3292 W Townsend St
C of MILWAUKEE

Dear Permittee:

****Important - You will need to submit a copy of this letter with your application/reapplication for a Wisconsin Department of Transportation (WisDOT) salvage dealer license.**** This letter confirms that the above facility has coverage under a Wisconsin Department of Natural Resources (DNR) storm water discharge permit, WPDES Permit No. WI-S058831.

Salvage dealers must comply with a new law effective November 1, 2006.

Type 1, 2, and 3 licensed Wisconsin salvage dealers must have WPDES permit coverage under the DNR Storm Water Program. Effective November 1, 2006, you must submit a copy of this letter from the DNR confirming your coverage under a storm water permit with your WisDOT salvage dealer application or your WisDOT salvage dealer renewal application. For salvage dealer license application instructions please visit: www.dot.wisconsin.gov/business/dealers/licenses/salvinstruct.htm

For more information about these changes please contact Mark Harings at (715) 831-3263 or e-mail at: mark.harings@wisconsin.gov

If you have any questions concerning this letter, contact me at (608) 264-8971.

Sincerely,

Jim Bertolacini
Storm Water Specialist
Runoff Management Section

Attachment 5

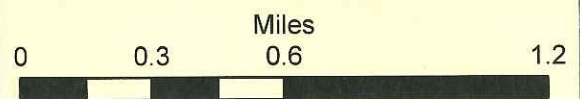
United Milwaukee Scrap, LLC
8520 W Kaul Ave
Milwaukee, WI 53210



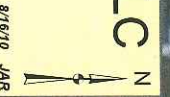
Perennial Stream

Intermittent Stream

Approximately 4.5 miles to Menomonee River



United Milwaukee Scrap, LLC
8520 W Kaul Ave
Milwaukee, WI 53210



United Milwaukee Scrap, LLC
3232 W. Fond Du Lac Ave.
Milwaukee, WI 53210

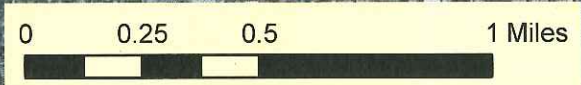


8/16/10 JAR

United Milwaukee Scrap

Approximately 2.5 miles to Menomonee River

Menomonee River



United Milwaukee Scrap, LLC
3027 W Concordia Ave
Milwaukee, WI 53210

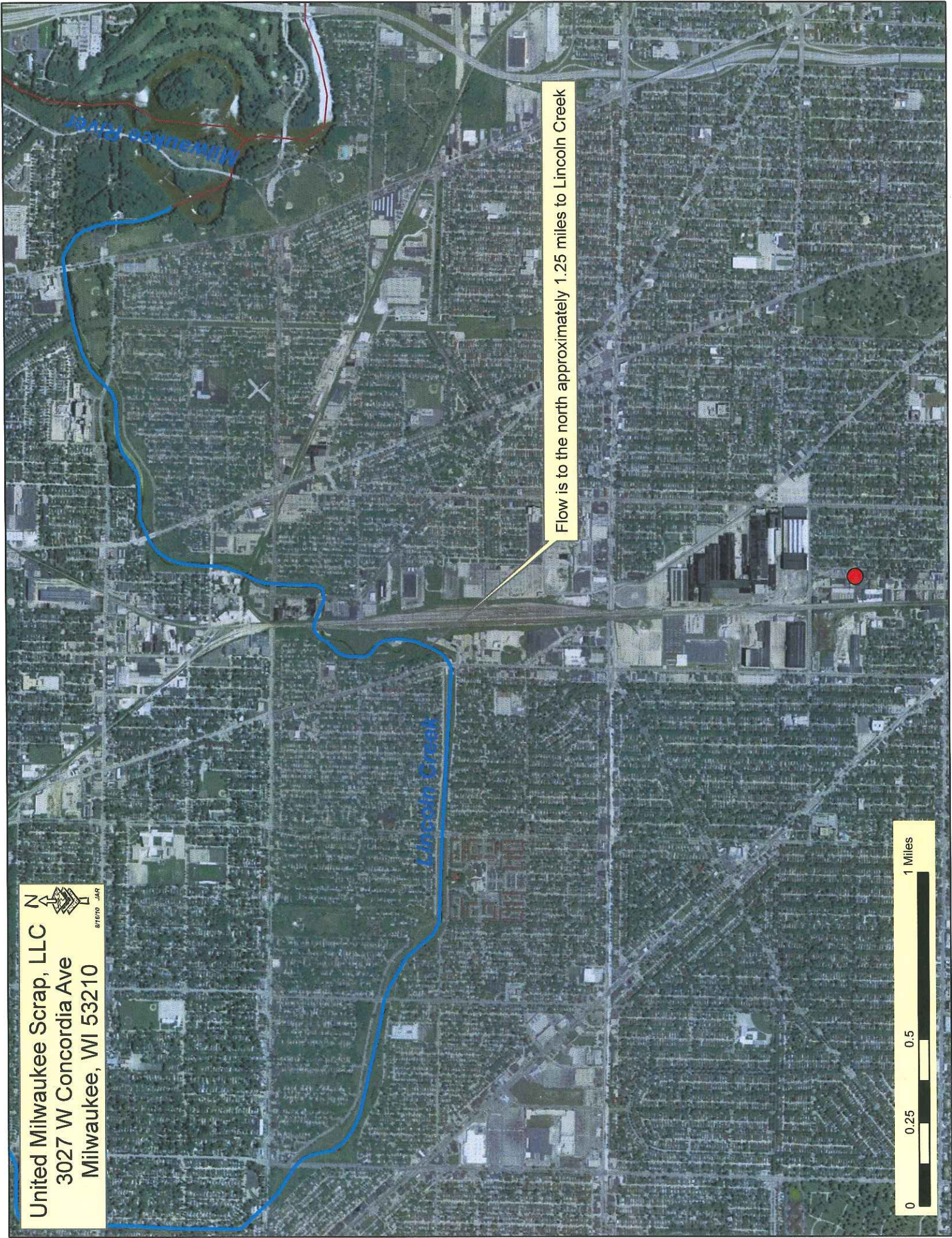


Lincoln Creek

Milwaukee River

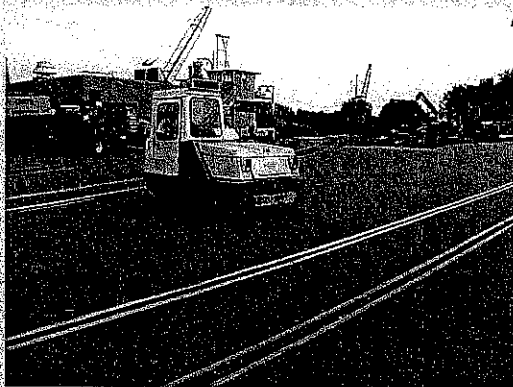
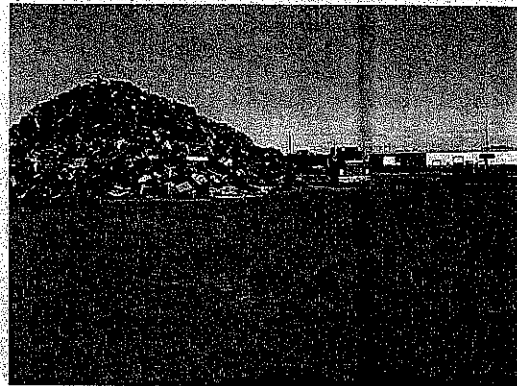
Flow is to the north approximately 1.25 miles to Lincoln Creek

0 0.25 0.5 1 Miles



Attachment 6

COOPERATIVE COMPLIANCE PROGRAM, INC. FOR SCRAP RECYCLERS IN WISCONSIN



INTRODUCTION

THE SCRAP RECYCLING INDUSTRY

The scrap recycling industry in Wisconsin plays a necessary and crucial role in the efficient and ecological reclamation of industrial and manufacturing by-products and post-consumer materials that are at the end of their useful life. Wisconsin recyclers process ferrous and non-ferrous metals, paper, plastic, glass, rubber, and textiles. Types of recyclable materials include automobiles, appliances, household scrap, industrial scrap, paper and cardboard, aluminum cans, and glass beverage containers. These recycled products help meet the raw material needs of the manufacturing industry.

Scrap recycling preserves natural resources and energy, saves landfill space, reduces material costs for new manufacturing, reduces dependence on imported material, minimizes the environmental impacts associated with waste disposal, and keeps cities and rural lands clear of unwanted materials. The U.S. Environmental Protection Agency reports that, compared to virgin iron ore, the use of scrap iron and steel to make new steel results in a 74 percent reduction in energy use, 40 percent less water usage, 76 to 86 percent reduction in water and air pollution, and over 90 percent fewer wastes. Recycling also provides significant economic benefits by offering employment for thousands of Wisconsin residents and contributes millions of dollars to the Wisconsin economy.

A typical scrap recycler is involved in the collection of unprocessed scrap, the sorting and processing of the scrap, and the transport or shipping of the processed scrap for reuse. Scrap recyclers commonly purchase materials such as salvaged automobiles, appliances, obsolete railroad and industrial equipment, demolition materials from buildings and bridges, newspapers, beverage cans, packaging materials, and materials produced from cutting and fabricating in durable goods manufacturing. The next step in the recycling process is the sorting and preparation of recyclables. The recycler has a major investment in heavy machinery designed to sort, shear, bale, shred, or otherwise transform the inbound recyclables to produce a uniform product that meets strict specifications. Processed scrap is shipped via truck, rail, or barge to an end user such as a steel mill, foundry, ingot maker, nonferrous metals smelter, plastic extruder, glass manufacturer, or paper mill. The process of recycling is becoming more complex and capital-intensive in response to more stringent environmental regulations, a wider range of scrap sources, more intricate product design, and the increased use of composite materials.

Many of the environmental regulations that affect scrap recyclers date back 20 to 30 years. In the 1970s, regulations were written in "command-and-control" style, requiring operators to employ specific practices and technologies to achieve compliance and meet basic environmental standards. In more recent years, the need for and popularity of command-and-control regulations has diminished, in part because industries became more willing to find ways to prevent or reduce pollution and to set ambitious goals for themselves. This, in turn, encouraged government regulatory agencies to reexamine their attitudes and to seek more efficient, less burdensome ways to achieve environmental compliance. In addition, as agencies faced increased budget and staff restrictions and a growing array of regulations to administer, they became more open to creative partnership compliance programs. There is a growing awareness that making environmental compliance easier, less expensive, and less bureaucratic without reducing the level of environmental performance is a win-win for industry and for the environment.

WORKING TOGETHER—A PARTNERSHIP APPROACH

The Wisconsin Department of Natural Resources (DNR) and the Wisconsin Institute of Scrap Recycling Industries (WISRI)—a state-wide organization of scrap recyclers—have a long and successful history of working together to help recyclers comply with environmental regulations that are designed to prevent pollution of surface water, soil, groundwater, and air. Over the past two decades, DNR and WISRI have worked together to develop sound environmental practices for the scrap recycling industry.

In the mid-1990s, DNR and WISRI agreed to develop an industry-specific permit for storm water discharges from scrap recyclers. The resulting permit requires scrap recyclers in Wisconsin to either commit to participating in a Cooperative Compliance Program, or to manage their permit compliance as an individual facility.

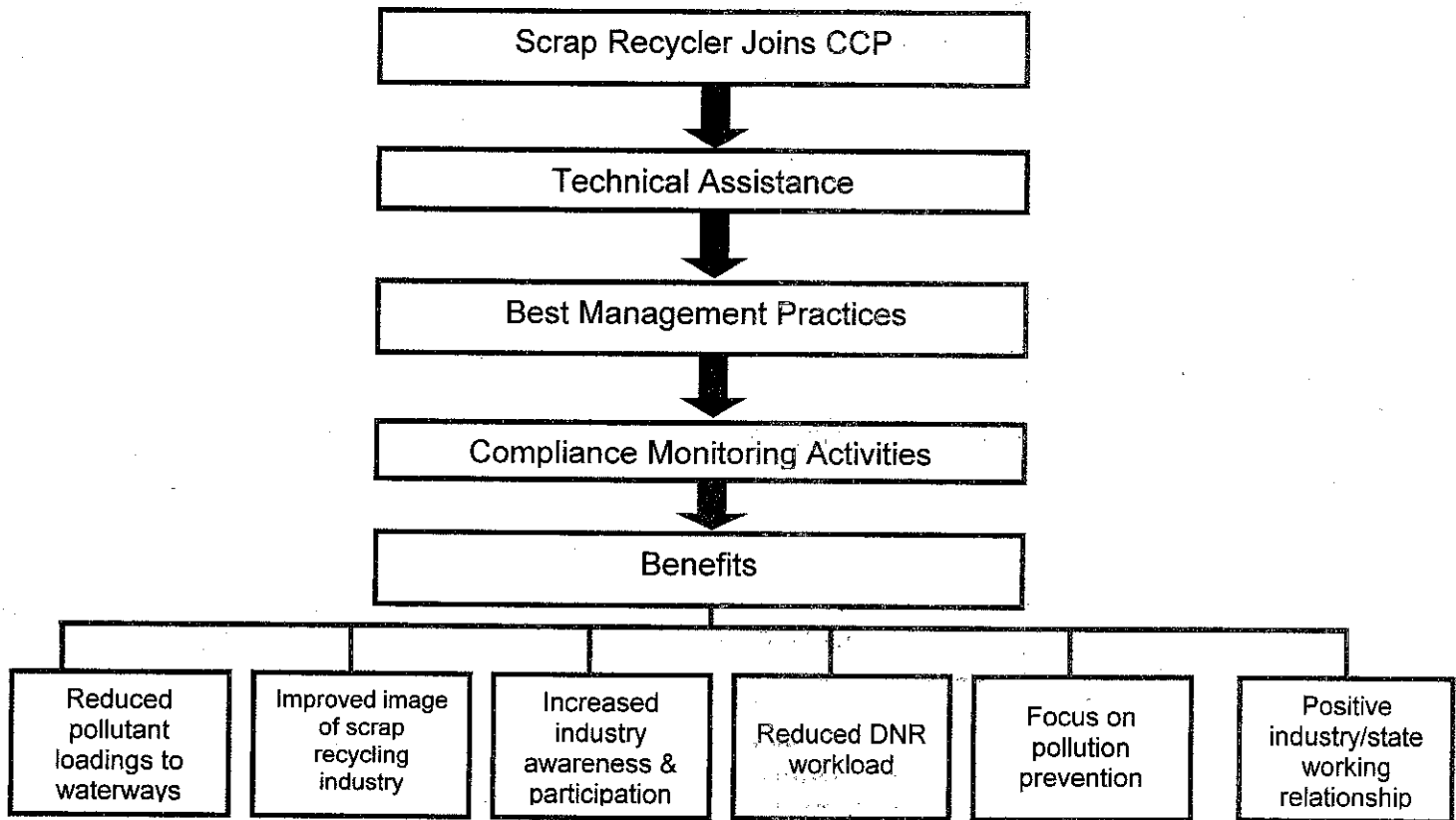
The scrap recyclers permit program is an innovative approach that is designed to:

- Allow the scrap recycling industry to work together with DNR to develop regulatory requirements that are reasonable, effective, and compatible with the unique characteristics of scrap recycling facilities.
- Enable the recycling industry to organize a program to manage and monitor the permit compliance activities, including the provision of extensive education and training, on-site assistance, and auditing.
- Achieve a high level of permit compliance, and establish an aggressive corrective action program to assist those facilities that have difficulty in meeting the permit requirements.

Compared to more traditional regulatory approaches, this new type of permit program results in a higher level of compliance, increased cooperation between regulators and facility operators, widespread application of cost-effective Best Management Practices (BMPs), and enhanced protection of Wisconsin's valuable water resources.

The Cooperative Compliance Program, Inc. (CCP) was formed in February 1998 to administer the storm water permit compliance program for scrap recyclers. The storm water permit for scrap recyclers was issued in April 1998. The permit will likely be renewed in late 2005 or early 2006. A Board of Directors, consisting of representatives from CCP member companies, administers the CCP. The CCP Board of Directors retained Stormtech, Inc. to serve as the CCP Consultant.

CCP HELPS PROTECT WISCONSIN'S WATER RESOURCES



CCP ACTIVITIES

All scrap recyclers (SIC code 5093) in Wisconsin are eligible to participate in the CCP. An annual fee is paid by each participant to support the program. The CCP Board of Directors requires that each member comply with the storm water permit. The CCP Consultant provides technical assistance, conducts annual training sessions, and monitors the compliance of the members. Each member receives a *Storm Water Manual* that includes the facility's storm water pollution prevention plan (SWPPP), site map, all necessary forms, and instructions and procedures. CCP members are required to implement their storm water pollution prevention plan and BMPs. Participation in the CCP also includes the following activities:

Form 1
NON-STORM WATER VISUAL OBSERVATION FORM

Facility: _____
Location: _____
Inspector Name: _____ Date: _____ Time: _____ a.m. / p.m.
Non-Storm Water Discharge (Evidence Observed): ☐ No ☐ Yes - Fill in Below

Location	Describe Evidence of Non-Storm Water Discharge	Source	Unauthorized Discharge		Action Taken To Eliminate Discharge (if unauthorized) or Correct Problems (if authorized)
			Not	Yes	

Inspector: _____

✓ **Evaluation of Non-Storm Water Discharges** Each member conducts two visual observations each year to identify potential non-storm water discharges. Instances of dry weather flow, stains, sludge, color, odor, or other indications of a non-storm water discharge are recorded on a form. Copies of the forms are provided to the CCP Consultant.

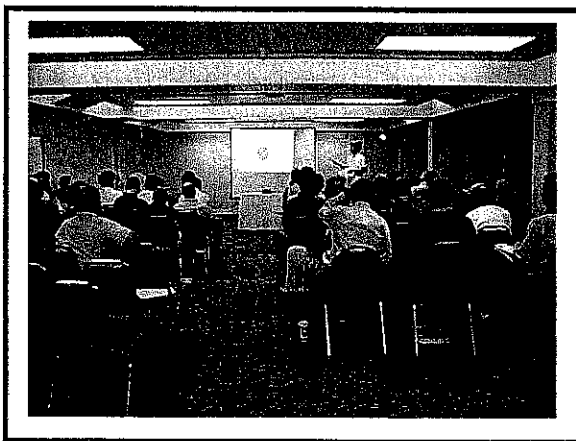
✓ **Monthly Self-Inspections** Each member conducts monthly inspections to evaluate pollution sources and management practices. Members are instructed to identify problems or areas where improvements were needed, and to list the corrective actions taken. Copies of the monthly inspection forms are provided to the CCP Consultant.

Form 2
MONTHLY INSPECTION FORM

Facility: _____ Date: _____ / _____ / _____
Location: _____ Time: _____ a.m. / p.m.
Inspector: _____ Weather: _____
Month: ☐ Jan ☐ Feb ☐ Mar ☐ Apr ☐ May ☐ June
☐ July ☐ Aug ☐ Sept ☐ Oct ☐ Nov ☐ Dec

Describe	Corrective Action if needed
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

Inspector: _____



✓ **Annual Training** Each member is required to attend one of the group training sessions. Typically, three or four sessions are offered throughout the state. Some of the two-hour training sessions may be held at member facilities. DNR is invited to attend all training sessions.

✓ Compliance Audits

Each member participates in an annual compliance audit conducted by the CCP Consultant. During the audits, the CCP Consultant reviews the *Storm Water Manual* and inspects best management practices that are listed in the member's storm water pollution prevention plan. An audit report form is completed and signed by the auditor and the facility representative.

ANNUAL COMPLIANCE REPORT

In accordance with the storm water permit, the CCP Consultant prepares an annual report that summarizes the compliance activities, concerns, and recommendations for improvement. Several copies of the annual report are submitted to DNR.

FUTURE OPPORTUNITIES

Since 1998, CCP members have made impressive advancements towards improving environmental performance and achieving a high level of compliance with their storm water permit. The CCP will continue to work with DNR to find ways to further improve performance, streamline regulatory requirements, reduce the cost of compliance, encourage innovation, enhance the public image of the scrap recycling industry, and address new and upcoming environmental issues.

In October 2005, the CCP Board of Directors signed a Green Tier Charter with the DNR. Facilities that decide to participate in the charter will develop and implement environmental management systems and achieve superior environmental performance.

"I want to get away from command and control. If you have good actors, with good records, why do you need that level of scrutiny?"

Scott Hassett, Secretary
Wisconsin Department of Natural Resources

**STORM WATER POLLUTION
PREVENTION PLAN
for
United Milwaukee Scrap, LLC
3295 West Townsend Street
Milwaukee, WI 53216**

Section 1 Overview

This Storm Water Pollution Prevention Plan (SWPPP) covers the operations of United Milwaukee Scrap, LLC, located at 3295 West Townsend Street, Milwaukee, Wisconsin. United Milwaukee Scrap, LLC is a scrap recycling facility that operates under Standard Industrial Classification (SIC) Code 5093, Scrap and Waste Materials. This SWPPP was prepared in accordance with the requirements of the Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-S058831-1. United Milwaukee Scrap LLC is a member of Cooperative Compliance Program, Inc. (CCP) for scrap recyclers.

Section 2

Pollution Prevention Individual

Steven Lewinsky, Partner, is responsible for development and implementation of this SWPPP.

Mr. Lewinsky can be reached at:

United Milwaukee Scrap, LLC
3295 West Townsend Street
Milwaukee, WI 53216
(414) 444-8059

Section 3

Facility Site Description

Physical Conditions

United Milwaukee Scrap, LLC currently covers approximately 5 acres at the Townsend facility. There is an office trailer, scale, and warehouse. Essentially the entire facility is unpaved, and most of the area is used for scrap storage.

Storm Water Drainage Characteristics

As shown on the Base Map, storm water drains from United Milwaukee Scrap, LLC at two outfall locations. Most of the facility drains northward to Townsend Street. A small area drains southward at the southeast corner.

Storm water that discharges from United Milwaukee Scrap, LLC drains to the City of Milwaukee storm sewer system that discharges to the Milwaukee River.

Facility Operations

United Milwaukee Scrap, LLC collects, handles, sorts, processes, and transports ferrous and non-ferrous metal scrap. Incoming scrap is brought to the facility by truck, and processed scrap is shipped by truck or rail. United Milwaukee Scrap, LLC minimizes the risk to human health and the environment by controlling inbound recyclables. Prohibited materials are listed and incoming loads are inspected.

Scrap that could contribute pollutants to storm water may include: nonferrous scrap (aluminum, copper, brass, bronze, magnesium, zinc, lead, stainless steel, and nickel), machine shop turnings, cast iron borings, plate and structural steel, foundry steel, clips, heavy melting steel, automotive scrap, electric motors, and wire. This scrap is stored on piles in the yard, in lugger boxes, roll offs, and hoppers, or in the warehouse. Processing and handling equipment include trucks, cranes, front end loaders, shears, and a shredding operation.

Equipment and vehicle inspections and repairs are primarily conducted onsite by maintenance employees. During maintenance activity, spill control absorbents and dip pans are used to contain all fluids. Fluids, including used oil, used antifreeze, new oil, hydraulic fluid, gasoline, and diesel fuel are stored inside the warehouse or outside in secondary containment.

Spill kits including oil dry, socks, and pads are located wherever fluids are used or stored. Employees receive annual training on proper spill prevention and response.

Section 4

Drainage Base Map

The Drainage Base Map for United Milwaukee Scrap, LLC is attached to this SWPPP. The Base Map shows the following information (where applicable):

1. the facility property boundaries;
2. a depiction of the storm drainage collection and disposal system;
3. secondary containment structures;
4. the location of all storm water outfalls,
5. the drainage area boundary for each storm water outfall;
6. the surface area in acres draining to each outfall, including the percentage that is impervious such as paved, roofed, or highly compacted soil; and the percentage that is pervious;
7. proposed and existing structural and treatment best management practices;
8. the name and location of receiving waters; and
9. the location of activities and materials that have the potential to contaminate storm water.

United Milwaukee Scrap, LLC

3295 West Townsend Street
Milwaukee, Wisconsin 53216



Outfall 2



Outfall 1

Attachment 7



FW: our call, list of facilities and addresses
Topczewski, Peter to: Noel Vargas

08/23/2010 01:14 PM

Noel -

8520 West Kaul Avenue is in the separate sewer system - the other 3 are in the combined sewer area.

The only property to ever hold an Industrial Waste Discharge Permit was 3295 West Townsend. The permit was issued to Great Lakes Recovery Systems, a Centralized Waste Treatment Facility owned and operated by Joseph Taylor. The District entered into a very large enforcement action against this facility and Joe Taylor that was settled with a \$450,000 civil penalty in June of 2004. For more information regarding that enforcement action please contact Tom Crawford, District Senior Staff Attorney @ tcrawford@mmsd.com

Peter R. Topczewski
Director of Water Quality Protection
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, WI 53204
Office 414.225.2176 Cell 414.617.1552
ptopczewski@mmsd.com

-----Original Message-----

From: Matyas, Harvey
Sent: Monday, August 23, 2010 12:59 PM
To: Topczewski, Peter
Subject: RE: our call, list of facilities and addresses

Pete

I should have the information if the facilities in question are separate or combine by the end of the day. As for any of these facilities have a permit;

1737.03	Great Lakes Recovery Sys	3295 W. Townsend St.	TAN
1737.04	Great Lakes Recovery Sys	3101 W. Townsend St.	TAN
(address change)			

Harvey

-----Original Message-----

From: Topczewski, Peter
Sent: Monday, August 23, 2010 12:15 PM
To: Matyas, Harvey
Subject: FW: our call, list of facilities and addresses

Do any of these facilities hold current discharge permits.

Peter R. Topczewski
Director of Water Quality Protection
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, WI 53204
Office 414.225.2176 Cell 414.617.1552
ptopczewski@mmsd.com

-----Original Message-----

From: Vargas.Noel@epamail.epa.gov [mailto:Vargas.Noel@epamail.epa.gov]

Sent: Monday, August 23, 2010 11:55 AM

To: Topczewski, Peter

Subject: RE: our call, list of facilities and addresses

Mr. Topczewski;

The facility name is United Milwaukee Scrap (UMS), which merged with other similar facilities.

The addresses are:

3232 W. Fond du lac Ave (formerly Start Recycling);

3027 W. Concordia Ave (formerly Standard Milwaukee Scrap)

3295 W. Townsend St (formerly Standard Scrap Metal), and

8520 W. Kaul Ave.

Please let me know if these facilities discharge to either the combined sewer system or to the separate sewer system. Also please let me know if either one of these had or currently have an industrial user permit, or required to have one.

Thanks a lot for your time!

Noel Vargas

Environmental Engineer

Water Division, WECAB

U.S. EPA, Region 5

77 W. Jackson Blvd.

Chicago, IL 60604

Tel: (312) 353-3575

Fax: (312) 385-5453